

FAIR HOUSING PLAN: AN
ANALYSIS OF IMPEDIMENTS AND
STRATEGIES TO ADDRESS THEM

Washington County
City of Beaverton

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ACRONYMS

AI	Analysis of Impediments
CAPER	Consolidated Annual Performance Evaluation Report
CDBG	Community Development Block Grant
CDC	Community Development Corporation
CHAS	Comprehensive Housing Affordability Study
CRA	Community Reinvestment Act
DHS	Washington County Department of Housing Services
ELL	English Limited Learners
FHCO	Fair Housing Council of Oregon
HMDA	Home Mortgage Disclosure Act
HOME	Home Investment Partnership Program
HUD	Department of Housing and Urban Development
HAMI	Household Average Median Income
HAMFI	HUD Area Median Family Income
NOAH	Northwest Oregon Housing Authority
OCD	Office of Community Development
RAHS	Metro's Regional Affordable Housing Strategy
Section 8	A HUD-funded program providing rent assistance to low-income families and individuals
SOCDS	State of Cities Data System

EXECUTIVE SUMMARY

Washington County is a recipient of federal funds through the US Department of Housing and Urban Development. Inherent in the obligations associated with receiving and administering federal funds is the requirement to comply with all of the federal laws, executive orders and regulations pertaining to fair housing and equal opportunity. Under the Consolidated Plan and the Community Development Block Grant regulations specifically, entitlement jurisdictions are required to affirmatively further fair housing in their communities. Equal and free access to residential housing is fundamental to meeting essential needs and pursuing personal, educational, employment, or other goals. Because housing choice is so critical, fair housing is a goal that government, public officials and private citizens must achieve if equality of opportunity is to become a reality. In order for jurisdictions to certify to the federal government that they are affirmatively furthering fair housing, the jurisdiction must:

- Conduct an Analysis of Impediments to fair housing choice
- Take appropriate action to overcome the effects of impediments identified through that analysis
- Maintain records reflecting the analysis and actions.

The purpose of the Analysis of Impediments (AI) is to provide essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates. The AI assists in building public support for fair housing efforts both within a state or entitlement jurisdiction's boundaries and beyond.

Washington County's first Fair Housing Plan was last completed in 1996 and was in need of updating. Washington County's Office of Community Development, as lead agency for the programs covered under the Consolidated Plan contracted with Fisher, Sheehan and Colton, a firm of consulting economists, with a background in low-income issues, public programs, and land use planning. Dr. Michael F. Sheehan and Roger Colton conducted the analysis.

Census and other data were collected in order to augment the data presented in the County's initial Analysis of Impediments. Interviews were conducted of local and regional planners, advocates, housing industry representatives, care providers, police, housing providers, fair housing regulators, and county housing officials. A number of conferences and meetings on fair housing and related topics were attended. Written materials on fair housing problems and programs, regional and local demographics,

transportation, and local planning were collected and reviewed. Various federal, state and local statutes and ordinances (and the literature around them) were consulted.

The report is based on a substantial amount of data; however, it is not meant to be a complete compendium of all the data available on each topic covered. Many of the recommendations will require the dedication of new resources by local governments at a time when Oregon is in mid-recession, resources from the state are drying up, and the federal government appears to be intent on sharply reducing HUD support for such programs as the Section 8 vouchers. Low income Americans are certainly bearing their share and more of the weight of the economic downturn. Local governments, as primary problem solvers in our society, are looked to as drivers in the process of change, yet a partnership must exist with housing providers, housing advocates, services agencies, etc. to enact such change.

The review process identified eighteen impediments to the achievement of fair housing in Washington County. Some are well-documented problem areas; some are problem areas that need further research to determine the best way to solve the problem. The impediments are shown below followed by the corresponding recommendation(s) for correction or improvement:

1. Publicly Supported Low-Income Housing Sited in Areas of Failing Schools

Local governments should review the location of existing low income housing relative to the elementary school areas in which the housing is sited. If the schools have a disproportional level of students in poverty or minority and student performance is substandard, public money available for the development of affordable housing units should be focused on dispersing the low income population to improve performance for the children involved.

2. Lead-Based Paint in Housing Occupied By Protected Class Children

An inspection program should be instituted to identify and eliminate lead-based paint in housing occupied by protected class children.

3. Loss of Housing Due to Loss of Health Benefits and Medication

Local governments have an economic choice for dealing with the problem of loss of housing for low income households due to the collapse of the programs providing health care and medication and the shift of high medical costs on to family resources which would otherwise go to housing. One way would be to compensate by providing more funds to subsidize housing. Alternatively, and

perhaps less expensively, local governments could expand the good efforts currently underway in providing rudimentary health care via the evening clinic in the Public Services Building and the support to the Virginia Garcia Clinic.

4. **Failure to Provide Fair Share Housing to Families at 50% MFI and Lower**

Local governments should undertake a more active effort to meet their “fair share” responsibility for the provision of housing in the less than 50% MFI and especially in the 30 percent of MFI range. Each municipality within Washington County should adopt as a goal the production of affordable units as outlined in Metro’s Title 7 and develop a long-term low income housing development plan. In addition, the County should issue an annual performance progress report concerning the housing programs it operates and the housing units developed under the Affordable Housing Program or in conjunction with partnerships with non-profit or private corporations.

5. **Membership on Appointive Boards and Commissions is Not Inclusive**

All jurisdictions should review the membership on their appointive boards and commissions and take the necessary measures to ensure that if possible, membership on these boards fairly reflects the protected class composition of the overall community.

6. **Higher Income Residents Disproportionately Occupy Affordable Housing**

Local government should survey both assisted and low income market-based housing to determine the income levels of the residents. To the extent that a disproportionate share of this housing stock is occupied by higher income residents, then the need for additional housing for the under 30 percent population should be adjusted upward and measures taken to fill this need.

7. **Affordable Housing is Disproportionately Located in High Crime Areas**

Additional work needs to be undertaken to develop data on crime by neighborhood and optimally by elementary school areas. To the extent that this work confirms that low income housing tends to be disproportionately located in high crime areas, measures should be undertaken to address this problem. Most important of these measures is the deconcentration of low income households away from these areas.

8. **Problems in the Maintenance of Housing of Last Resort**

Housing of last resort is housing where the residents are overcrowded; where the condition of the housing is substandard; where residents are living in “housing” which is not housing (e.g. garages); or, where the conditions in housing are substandard due to drug running, violence, or abusive conditions of other sorts.

The key to resolving this problem is to correct the condition of this housing without a resulting reduction in net housing units available to this population. One way to do this is to create a trust fund combined with a program of building inspections. When dilapidated buildings are identified and the landlord won’t or can’t make the necessary repairs, the trust fund in appropriate cases will make the repairs and take a lien on the property.

9. **Conversion Threat to the Mobile Home Parks of Washington County**

A study needs to be undertaken to determine the magnitude and timing of the conversion threat to the mobile home parks of Washington County and appropriate protective measures need to be undertaken in light of that study.

To the extent possible, zoning protections should be provided for existing mobile home parks. Though it may be difficult to rezone a non-conforming mobile home park to a more secure zone, rezoning the park away from its existing zone to facilitate conversion should be discouraged.

10. **Overcrowding Due to the Relative Deficiency of Housing for Large Families**

Washington County should undertake a housing needs survey and determine by municipality the number of rental units that are affordable for low-income large families. The allocation of public money to be used to develop affordable housing should ensure that housing is available for large households at no less than the rate of availability for smaller households.

11. **Lack of a Housing Shelter for Homeless Single People**

Local jurisdictions should work together and with non-profit organizations and others to provide the necessary shelter and ensure that any other gaps in the continuum of care are repaired.

12. Insufficiency of Programs to Assure Accessible Housing Choice

All jurisdictions within Washington County should adopt an ordinance that requires all housing developed with public money, in-kind assistance or other economic or technical support from the jurisdiction to comply with the accessibility standards of the Americans with Disabilities Act (five percent of the units are to be physically accessible and two percent are accessible to hearing and sight-impaired residents).

Secondly, all jurisdictions within Washington County should adopt ordinances requiring all housing (private market and those units developed with public money, in-kind assistance or other economic or technical support from the jurisdiction) to rent to an otherwise qualified household with a Section 8 voucher where the housing contains accessibility features needed by a family member.

13. Discrimination by Landlords Against Section 8 Voucher Holders

Local governments should adopt ordinances prohibiting discrimination based on the receipt of federal subsidy payments against otherwise qualified applicants for housing. Such ordinances should prohibit both refusals to rent as well as “no cause” evictions based on the receipt of federal subsidy payments.

14. Disproportionate Lack of Protected Class Home Ownership

The disproportionate lack of protected class home ownership should be addressed by local programs to encourage protected class home ownership, including home ownership in mobile home parks.

15. Need for Local Jurisdictions to Provide Tax, SDC, and other Incentives and accelerated Processes for Affordable Housing

Given the nature of the public obligation to see to the development of adequate affordable housing in each jurisdiction, it may make sense to provide waivers or at least amortization of SDCs over time, waiver or reduction of application fees for such projects, waiver or reduction in infrastructure requirements, and property tax reductions.

16. Victims of Domestic Violence Are Being Evicted by Some Landlords Solely Because of Their Victimization

Local governments should review whether there are landlords in their jurisdictions that have policies of evicting victims of domestic violence. If so, training should be provided by the Fair Housing Council. In the event this is not sufficient to correct the problem, such cases should be referred to Legal Services. To the extent that these measures do not adequately control the problem, local jurisdictions should consider adopting licensing requirements for owners of rental housing with suitable rules.

17. Domestic Violence Shelters in Adjoining Counties Refuse to Accept Families With Adolescent Boys as Part of the Inter-County Cooperative Overflow Program with Washington County Shelters

Washington County shelters should open a dialog with their counterparts in Multnomah County to encourage the correction of the problem through negotiation.

18. Lack of Programs to Ensure that Linguistically Isolated Populations Have Equal access to Housing

Programs to ensure that major linguistically isolated populations have equal access to housing should be mandatory for public and subsidized housing providers.

This report is based on the review of a substantial amount of data, attendance at various meetings including those involving the Consolidated Plan process, the Housing Advocacy Group, and interviews with 50 people involved in housing issues in Washington County and similar issues elsewhere. A public hearing to receive comments on the plan was held by the Policy Advisory Board on July 15, 2004. Six individuals provided oral testimony. Written testimony is included in Appendix VI. Dr. Sheehan and Office of Community Development staff reviewed the testimony submitted and made revisions or additions to the plan where appropriate. The plan was approved by the Board of County Commissioners on August 17, 2004 and forwarded to the US Department of Housing and Urban Development on August 20, 2004.

FAIR HOUSING PLAN: AN ANALYSIS OF IMPEDIMENTS AND STRATEGIES TO ADDRESS THEM

I. INTRODUCTION

A. Fair Housing Requirements

HUD's Consolidated Plan regulation (24 CFR 91) requires each state and local government to submit a certification that it is affirmatively furthering fair housing. This means that the jurisdiction will:

1. Conduct an analysis of impediments to fair housing choice;
2. Take appropriate actions to overcome the effects of impediments identified through that analysis; and,
3. Maintain records reflecting the analysis and actions.

The purpose of this report is to identify "impediments" to the achievement of the goals of fair housing. These impediments include:

Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin which restrict housing choices or the availability of housing choices; or

Any actions, omissions, or decisions which have the effect of restricting housing choices on the basis of race, color, religion, sex, disability, familial status or national origin.¹

The analysis of impediments is a comprehensive review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice.

The analysis is not limited to the identification of actions purposefully meant or designed to disadvantage members of a protected class. Impediments also include,

Policies, practices or procedures that appear neutral on their

¹ HUD, *Fair Housing Planning Guide* (Washington, D.C.: HUD, nd) p. 2-8.

face, but which operate to deny or adversely affect the provision of housing to persons of a particular [protected class].²

The class of impediments includes actions or policies which have a disparate, i.e., a disproportionate, impact on the housing choices of protected classes, even though the actions or policies are neutral on their face and were adopted without any *intent* to produce a discriminatory impact.³ The impacts test is, in this way, *result* oriented and not *intent* oriented.

The task of this study is to evaluate the current situation in Washington County to determine: (1) whether impediments to fair housing confront protected classes; (2) if such impediments do exist, to understand why; (3) to set forth what is being done to eliminate these impediments; and (4) to make recommendations for improvement.

Fisher, Sheehan and Colton, a firm of consulting economists, with a background in low-income issues, public programs, and land use planning, were hired to do the analysis and complete the study. The analysis was conducted by Dr. Michael F. Sheehan and Roger Colton. Funding for the study was provided by Washington County's Office of Community Development.

B. Context of the Study

There are three major factors that comprise the background of this study. The first was the concern over the performance of the County in the Fair Housing area resulting in the County's Voluntary Compliance Agreement with HUD in 2003.

The second is the state budget crisis arising out of the collapse of the Oregon and national economies in the period 2000-04 giving rise to reductions in state support for programs which have major impacts on housing for low income protected class members either directly or indirectly. Most notable among these is the collapse of Oregon Health Plan programs. This has had a dramatic impact:

- It has pushed those low-income families without health coverage to more

² HUD, *Fair Housing Planning Model (Draft)*, (Washington, D.C.: HUD, nd) p. 4-2.

³ Facially neutral actions adopted for the purpose of disadvantaging members of a protected class are clearly prohibited by the Act. See, for example, *United States v. West Peach Tree Tenth Corp.*, 437 F.2d 221 (5th Cir. 1971).

expensive forms of health care (e.g. emergency room care).

- These dramatically higher costs have resulted in credit problems with negative consequences for the ability of these families to find housing.
- When medical care and medication are not affordable the poor tend to become the victims of their illnesses. This often results in behavioral problems leading to loss of housing, deterioration in family relationships, and in some cases, incarceration, with consequent costs and losses to society.

The third is the movement of HUD to sharply restrict the availability of Section 8 vouchers in the closing months of FY2004 and onward along with the apparent decision of the federal government to cut between \$1 and \$2 billion from the Section 8 program beginning in 2005. These moves will have substantial adverse consequences for the large number of low-income people who depend upon these resources for their ability to have a roof over their heads.

C. How the Analysis Was Conducted

Census and other data was collected in order to augment the data presented in the County's initial analysis of impediments. Over fifty interviews were conducted of local and regional planners, advocates, housing industry representatives, care providers, police, housing providers, fair housing regulators, and county housing officials.⁴ A number of conferences and meetings on fair housing and related topics were attended. Written materials on fair housing problems and programs, regional and local demographics, transportation, and local planning were collected and reviewed. Various federal, state and local statutes and ordinances (and the literature around them) were consulted.

D. Impediments Identified

The review process resulted in the identification of eighteen impediments to the achievement of fair housing in Washington County. These include the following:

1. Publicly Supported Low-Income Housing Sited in Areas of Failing Schools;
2. Lead Based Paint in Housing Occupied by Protected Class Children;

⁴ A list of interviewees is provided in Appendix III.

3. Loss of Housing Due to Loss of Health Benefits and Medication;
4. Failure to Provide Fair Share Housing to families at 50% MFI and Lower;
5. Membership on Appointive Boards and Commissions is Not Inclusive;
6. The Estimated Need for Additional Affordable Housing is Underestimated by the Share of Existing Low Income Housing Occupied by Higher Income Residents;
7. Affordable Housing is Disproportionately Located in High Crime Areas;
8. Problems in the Maintenance of Housing of Last Resort;
9. There is a Substantial Conversion Threat to the Mobile Home Parks of Washington County;
10. Overcrowding Due to the Relative Deficiency of Housing for Large Families;
11. Lack of a Housing Shelter for Homeless Single People;
12. Insufficiency of Programs to Assure Accessible Housing Choice;
13. Discrimination by Landlords Against Section 8 Voucher Holders;
14. Disproportionate Lack of Protected Class Home Ownership;
15. Need for Local Jurisdictions to Provide Tax, SDC, and other Incentives and Accelerated Processes for Affordable Housing;
16. Victims of Domestic Violence Are Being Evicted by Some Landlords Solely Because of Their Victimization;
17. Domestic Violence Shelters in Adjoining Counties Refuse to Accept Families With Adolescent Boys as Part of the Inter-County Cooperative Overflow Program with Washington County Shelters;
18. Lack of Programs to Ensure that Linguistically Isolated Populations Have Equal Access to Housing;

E. An Overview of the Recommendations

Washington County has a variety of fair housing problems as one would expect in a fast growing complex metropolitan county with a population 450,000. Based on extensive interviewing and the review of reports and studies we have identified 17 impediments to fair housing (as cited above).

For each of these problems solutions have been suggested. Some are very simple and direct: If landlords are discriminating against Section 8 voucher holders otherwise qualified in every way, pass an ordinance outlawing it. If minorities and the disabled are under-represented on boards and commissions, appoint minorities and the disabled until the percentages reflect the percentages of those groups in society.

Not everything is so easy. Lack of health care and the collapse of the Oregon Health Plan and its medication program have meant that substantial segments of the low income population have no access to medical care and medicine other than through the very expensive emergency rooms of hospitals. Use of those facilities tends to substantially disrupt the fragile financial equilibrium of those families, often with consequences for housing when not all bills could be paid and health care and/or medicine had to come first. There is no easy answer to that one, but some of what is already being done is in the right direction.

Many of the other recommendations will require the dedication of substantial new resources by local governments at a time when Oregon is in mid-recession, resources from the state are drying up, and the federal government appears to be intent on sharply reducing HUD support for such programs as the Section 8 vouchers. These are hard times in many ways and low-income Americans are certainly bearing their share and more of the weight of the economic downturn. Local governments, as primary problem solvers in our society, can be expected to make a strong performance in solving these problems as well.

II. BACKGROUND DATA

A. INTRODUCTION

This chapter explores three different aspects of fair housing in Washington County. The first section below examines certain classes of persons who have been provided specific protections under anti-discrimination statutes. The second section below examines the intersection between housing affordability and fair housing issues. The third section looks at the intersection between employment considerations and fair housing.

B. THE PROTECTED CLASSES

This section of the fair housing analysis for Washington County examines the available empirical evidence which might provide insights into what impediments might exist to fair housing within the county. The analysis examines four distinct factors:

- (1) race and ethnicity
- (2) age
- (3) family status; and
- (4) disability status

While the analysis may overlap in some instances, each population deserves specific individual attention. The analysis that follows will concentrate on both the affordability and quality of housing available to the identified populations.

1. Race and Ethnicity

An evaluation of the fair housing implications of public and private decisions, actions, and inactions/omissions must take into account the disparate (i.e., disproportionate) impacts those actions have on protected classes. A facially neutral action may, in other words, nonetheless raise fair housing concerns if it has a disparate impact on protected classes of households. Because of this fact, one step in assessing the impediments to fair housing is to determine what proportion of the population is represented by the various protected classes. The discussion below focuses on racial and ethnic populations.

HUD has conducted three national studies in the recent past on the issue of discrimination in housing.⁵ The overall incidence of discrimination against minority home-seekers ranges from 17% for African-American home seekers to 28.5% for Native American renters. In roughly one out of five visits to a real estate or rental office, a minority customer is not going to get as much information or as much help and assistance as a comparably qualified white customer. Hispanic home seekers are discriminated against at least 25% of the time. Conversely, the study found non-Hispanic whites have a competitive advantage in their search for housing where they were favored in more than half of the rental tests.

While Washington County has seen an increase in the overall percentage of

⁵ Housing Discrimination Study (HDS 2000).

minority households over the last decade, those residents were increasingly segregated in poor neighborhoods. This is similar to what is seen across the country over the same time period—a pattern of neighborhoods with increasing segregation and poverty. Random choice and income inequality experienced by minority home seekers do not significantly affect this trend.⁶ On the other hand, it has been demonstrated that white home seekers are willing to pay a premium to live with few, if any, minorities.⁷

The increase trend of residential segregation occurs for African-Americans and Hispanics regardless of their income. The neighborhoods minorities live in are very distinct. As whites and Asians earn more, they tend to move to neighborhoods that match their own economic standing, with commensurate levels of public services, school quality, safety and environmental quality. Due to residential segregation, blacks and Hispanics are less able to move to better neighborhoods.⁸ As a result, higher income blacks and Hispanics live low-income neighborhoods than their White or Asian counterparts. This “neighborhood gap”, the difference in the wealth of the neighborhoods minorities live in is not an example of how the market usually works. For Hispanics in the Portland area, the disadvantage of affluent Hispanics is generally only a few hundred dollars less than that faced by Hispanics overall. This neighborhood gap directly affects the gap in people’s quality of life with considerable advantage to white households.

In Washington County, the best example of this trend is seen in the elementary schools. (A table describing the demographics, including poverty and ethnicity of all the elementary schools in the County is attached to the draft Fair Housing Plan). The elementary schools reflect the population of the surrounding neighborhood. The demographics of the elementary schools in each city in the County indicate the neighborhoods are segregated not only by race but by class as well. Neighborhoods of low poverty are overwhelming white, while those neighborhoods of high poverty are primarily minority residents.⁹

⁶ Junfu Zhang, “Revisiting Residential Segregation by Income: A Monte Carlo Test,” 2 International Journal of Business and Economics, 2003, pp.22-27.

⁷ Ed Glaeser, “Ghettos: The Changing Consequences of Ethnic Isolation,” Federal Reserve Bank of Boston, Regional Review, Spring 1997, Vol 7, No. 2.

⁸ Logan, *Separate and Unequal: The Neighborhood Gap for Blacks and Hispanics in Metropolitan America*.
[http://mumford1.dyndns.org/cen2000/SepUneq/PublicSeparate Unequal.htm](http://mumford1.dyndns.org/cen2000/SepUneq/PublicSeparate%20Unequal.htm).

⁹ A measure of “extreme poverty” is a neighborhood where 40% or more of the residents are at poverty. By this measure, 36% of the elementary schools in Washington

There is an inadequate supply of affordable housing for low-income households throughout Washington County. Because protected class households are disproportionately represented in the low-income bracket, this has a fair housing impact. Overall, Hispanics and blacks, as households and as a group have less income than Whites and live in poorer neighborhoods. Asians, as households have a higher income than the average White households but live in less affluent neighborhoods.¹⁰

Income alone does not account for the increasing segregation of minority households where even the affluent minorities live in neighborhoods that are poorer than the comparable White household. For minority households, an increase in household income does not translate into residential mobility.¹¹ Immigrant status does not account for the disadvantage any more than income.¹²

Residential segregation is not benign. It does not mean only that blacks, Hispanics, Asians and Whites live in different neighborhoods with little contact between them. It means that whatever their personal circumstances, black and Hispanic families on average live at a disadvantage and raise their children in communities with fewer resources, it cannot be a surprise, then, that it is harder for them to reach their potential.

a. Racial and Ethnic Representation in the Total Population

According to the 2000 Census, there are 169,162 occupied housing units in

County have a poverty rate of 40% or higher. Of these schools, most have a minority student population that exceeds the district overage and many have a minority student population that approaches twice the district average. Those schools with the highest poverty rate approach a minority student population between 60-75% of the total student body.

¹⁰ Logan, op.cit.

¹¹ Id.

¹² McArdle, *Beyond Poverty: Race and Concentrated-Poverty Neighborhoods in Metro Boston*. The Civil Rights Project/Harvard University, December 2003. An examination of the impact of nativity on social clustering and poverty concentration determined that Latinos and African-Americans are more likely to live in poverty neighborhoods, regardless of nativity.

Washington County, Oregon.¹³ Of those, nearly 90% (n=149,592) are occupied by households that are white only. Only one percent (n=1,770) of the housing units are occupied by households that are African-American alone; 7% (n=11,077) of the housing units in the county are occupied by households that are Hispanic; 6% (n=9,749) are Asian.

Table 1
Occupied Housing Units by Race and Ethnicity (Washington County)

Race/Ethnicity	Occupied Housing Units	Percent
Householder who is White alone	146,592	87%
Householder who is Black or African American alone	1,770	1%
Householder who is American Indian and Alaska Native alone	1,004	1%
Householder who is Asian alone	9,749	6%
Householder who is Native Hawaiian and Other Pacific Islander alone	451	0%
Householder who is Some other race alone	6,026	4%
Householder who is Two or more races	3,570	2%
Total	169,162	100%
Hispanic	11,077	7%

SOURCE: U.S. Census, Summary Tape File (STF) 3A, Tables P008 and P010.

b. Ethnicity and Housing Affordability.

The proportionate representation of the various racial and ethnic groups within the total population is important within the context of this fair housing discussion when compared to the proportionate representation of the same groups within the *low-income* population. Under the Fair Housing Act, socio-economic status is not *per se* a protected class. In Washington County, however, actions that create impediments to fair housing for low-income persons will likely have a disproportionately adverse impact (disparate impact) based on ethnicity as well. Since (unlike socio-economic status), ethnicity *is* a protected class, these impediments to housing for low-income persons thus raise fair housing

¹³ The number of households reported by the Census Bureau is virtually but not quite identical to the number of occupied housing units reported by the Department of Housing and Urban Development (HUD) in its CHAS data base. For purposes of this report, the Census figure (169,162 occupied housing units) and HUD figure (169,112 households) are deemed to be functionally equivalent.

concerns. A basic thesis of this analysis of impediments is that socio-economic impacts raise fair housing concerns if one or more protected classes is disproportionately represented in the adversely affected socio-economic stratum.

Within this context, factors affecting the availability of affordable housing in Washington County must be considered in a fair housing impediments study. The affordability of housing takes into consideration the housing stock in the county as well as the socio-economic status of the county's residents.

i. Area Median Income as a Measure of Low-Income Status

Socio-economic status can be examined using area median income. Three levels of income are considered below:

- Below 30% of HUD area median income
- Between 31% and 50% of HUD area median income.
- Between 51% and 80% of area median income.

Hispanics are particularly over-represented in the lower income stratum of Washington County. Indeed, Hispanics are substantially over-represented within the population of the lowest income households.

- While only 7.3% of all households live with income below 30% of HUD area median income, for example, 14% of Hispanic households do.
- While only 8.6% of all Washington County households live with income between 31 and 50% of HUD area median income, 19.5% of Hispanic households do.
- While only 17.4% of all Washington County households live with income between 51 and 80% of HUD area median income, 28.4% of Hispanic households do.

As can be seen, a disproportionate number of Hispanic households in Washington County live with income below 80% of the HUD area median income. As is shown in Table 2, a similar pattern exists for Native Americans, but not for Asians in Washington County.

Hillsboro in particular is home to a large population of low-income Hispanics. Nearly one-quarter of all Washington County Hispanic households that live with income at or below 50% of HUD area median income live in Hillsboro. Data is not available for all Washington County communities.¹⁴ The communities for which data is available are set forth in Table 3 below.

¹⁴ The data available may substantially underestimate the number of low income Hispanics in Washington County, especially in unincorporated Washington County, and especially Hispanic farmworkers.

Table 2
Households by Tenure and Race/Ethnicity (Washington County, OR)

	Renters	Homeowners	Total Households
All Households			
Total	66,682	102,430	169,112
Below 30% HAMI	8,831	3,572	12,403
31-50% HAMI	9,718	4,906	14,624
51-80% HAMI	17,064	12,743	29,807
White (non-Hispanic)			
Total	50,850	91,460	142,310
Below 30% HAMI	6,085	3,210	9,295
31-50% HAMI	6,910	4,215	11,125
51-80% HAMI	13,015	11,205	24,220
Hispanic			
Total	7,864	3,226	11,090
Below 30% HAMI	1,385	164	1,549
31-50% HAMI	1,775	383	2,158
51-80% HAMI	2,454	699	3,153
Asians			
Total	4,415	5,230	9,645
Below 30% HAMI	790	170	960
31-50% HAMI	385	225	610
51-80% HAMI	650	525	1,175
Native American Non-Hispanics			
Total	584	314	898
Below 30% HAMI	114	0	114
31-50% HAMI	125	4	129
51-80% HAMI	125	40	165

SOURCE: CHAS Data Base (May 2004).

Table 3
Hispanic Representation within Population at or Below 30% Median Income
Selected Community: Washington County

	Total Hispanic Households	Hispanic by Percent of Area Median Income		
		Below 30%	31 – 50%	51 – 80%
Beaverton				
Renter Occupied	1,844	280	460	471
Owner Occupied	357	10	14	65
Total	2,201	290	474	735
Forest Grove				
Renter Occupied	385	110	90	140
Owner Occupied	244	20	50	60
Total	629	130	140	200
Hillsboro				
Renter Occupied	1,958	358	420	490
Owner Occupied	753	45	113	185
Total	2,711	403	533	675
Sherwood				
Renter Occupied	85	25	0	10
Owner Occupied	67	0	4	14
Total	152	25	4	24
Tigard				
Renter Occupied	714	119	190	240
Owner Occupied	159	19	0	15
Total	873	138	190	255
Washington County				
Renter Occupied	7,864	1,385	1,775	2,454
Owner Occupied	3,226	164	383	699
Total	11,090	1,549	2,158	3,153

SOURCE: HUD CHAS Data Base.

ii. Federal Poverty Level as a Measure of Low-Income Status

The conclusion that Hispanics are disproportionately represented in the low-income population of Washington County is further confirmed by examining the population of Washington County residents living at or below the federal Poverty Level. Hispanics are disproportionately represented in this population. While only 6% of white only households live below Poverty in Washington County, 21% of Hispanic households do. Each minority population (other than Asian) has a population below Poverty that substantially exceeds the Poverty rate in the total population. (Table 4).

Table 4
Persons Below 100 Percent of Federal Poverty Level: By Race and Ethnicity
Persons for whom Poverty Status Determined
Washington County

	White	Black	Hispanic /a/	Am. Indian /b/	Asian	Native Hawaiian /c/	Total /a/
Total	362,169	4,423	48,963	2,862	29,712	1,392	400,558
Below 100% Poverty	21,390	474	10,098	318	2,502	298	24,982
Pct < 100% Poverty	6%	11%	21%	11%	8%	21%	6%

SOURCE: U.S. Census, STF 3A, Table159(a) – 159(e).

NOTES:

/a/ Since Hispanic is not a race (but rather an ethnicity), Hispanics are not separately included in the "total" column.

/b/ Includes Native Alaskans.

/c/ Includes other Pacific Islanders.

c. Ethnicity and Linguistic Isolation.

Quite aside from affordability issues, the linguistic isolation of Hispanic households in Washington County represents a barrier to fair housing choice. According to the U.S. Census Bureau, a “linguistically isolated household” is one in which one of two alternative characteristics are present. Either: (1) no household member 14 years old and over speaks English, or (2) no household member 14 years and over speaks English “very well.” “In other words,” the Census Bureau says, “all members 14 years old and over have at least some difficulty with English.”¹⁵

¹⁵ U.S. Census Bureau, Note to Table P20, “Household Language by Liguistic Isolation”

There is without question a growing Hispanic population in the Portland-Vancouver MSA. According to the State of the Cities Data System (SOCDS) Census Data Output, which serves as the basis for the HUD CHAS data base, the total Hispanic population in the MSA has grown from 26,544 in 1980 to 49,344 in 1990 and 142,444 in 2000. The proportion of the population comprised of Hispanics has grown from 2.0% in the MSA in 1980 to 7.4% in 2000. The growth in the Hispanic population has been slightly faster outside the central city.

Table 5
Hispanic Population in Portland/Vancouver MSA
By MSA, Central City, and Suburbs

	Portland/Vancouver MSA	Central City (Portland)	Suburbs /a/
Hispanic Population			
1980	26,544	7,541	18,287
1990	49,344	13,125	34,651
2000	142,444	36,058	97,351
Hispanic Population as Percent of Total Population			
1980	2.0%	2.1%	2.0%
1990	3.3%	3.0%	3.4%
2000	7.4%	6.8%	7.8%

NOTES:

/a/ Suburb data is defined as the total for the PMSA less the same of data for the cities of Portland and Vancouver.

The growth in the Hispanic population is particularly significant because, while Hispanics are not the only non-English speaking population, they are one of the primary sources of linguistic isolation in Washington County. As the table below documents, 31% of all Hispanic households in Washington County –or about 4,400 households–are linguistically isolated. The table further shows that a virtually identical proportion of Asian and Pacific Island households are linguistically isolated, even though the absolute

(2000 Census).

numbers of households involved are somewhat smaller.

Table 6
Household Language by Linguistic Isolation (Households)
Washington County

	Total	Linguistically Isolated	Not Linguistically Isolated	Pct Linguistically Isolated
English	137,075			
Spanish	14,191	4,396	9,795	31.0%
Other Indo-European languages	7,819	1,024	6,795	13.1%
Asian and Pacific Island languages	9,031	2,757	6,274	30.5%
Other languages	1,171	108	1,063	9.2%

SOURCE: Table P20, 2000 Census.

As the table below documents, forty percent and more of all adult Hispanics in Washington County in 2000 have difficulty in speaking English. Forty percent of all Hispanics age 18 to 64 speak English either “not well” or “not at all.” More than 43% of all Hispanics age 65 and older speak English either “not well” or “not at all.”

Table 7
Age by Language Spoken at Home by Ability to Speak English
(Hispanics and Latinos) (Washington County)

		Speaks Another Language					
	Speaks Only English	Total Speaks Other Language	Speaks English “Very Well”	Speaks English “Well”	Speaks English “Not Well”	Speaks English “Not at All”	Pct Having Difficulty w/ English /a/
18 to 64 years old	5,681	24,927	7,498	5,208	7,738	4,483	39.9%
65 years old and over	148	591	172	99	155	165	43.3%

NOTES:

/a/ The population of persons having difficulty with English is the sum of persons who speak English “Not Well” and those who speak English “not at all” divided by the total population in the age group.

SOURCE: Table PCT62H, 2000 Census.

Linguistic isolation poses a particular problem in the ability of a household to search for and retain housing. Amongst the impediments to fair housing choice that are associated with linguistic isolation are:

- The lack of advertising and/or marketing in a language understandable to all.
- The lack of an ability to read and understand important documents such as mortgage applications, credit applications, and leases.
- The lack of an ability to participate in housing assistance programs.
- The lack of an ability to report housing problems, whether to private property owners or to public officials.
- The lack of an ability to access information about fair housing rights.

2. Age of Householder

The housing stock of Washington County does not lend itself to providing adequate housing choices for older households. There is a substantial aging population in Washington County. More than 20% of all non-family households and more than 10% of all family households are age 65 and over. Nearly 3,200 households, total, have householders age 85 and over.

Table 8
Household Type by Age of Householders (households)

	Family Households			Nonfamily Households		
	Total HHs	Pct	Cum Pct	Total HHs	Pct	Cum Pct
Householder 65 to 74 years	7,289	6.3%	6.3%	4,553	8.4%	8.4%
Householder 75 to 84 years	4,559	4.0%	10.3%	4,930	9.1%	17.5%
Householder 85 years and over	911	0.8%	11.1%	2,279	4.2%	21.7%
Total households:	115,005	100.0%	xxx	54,282	100.0%	xxx

Source: Table P13 (2000 Census).

The significantly lower proportion of aging family households makes sense given that a “family” is defined to include only households with at least two persons. One-person households, in other words, are, by definition, “non-family households.”

As age increases, the likelihood that the household will involve only one-person increases as well in Washington County. While more than 35% of all 1-person home-owning households are age 65 and older, and more than 20% of all 1-person renter households are age 65 and older, only 14% and 4% of owner households and renter households with two or more persons, respectively, are that age.

Table 9
Tenure by Age of Householder (occupied housing units)

	Owner Occupied				Renter Occupied			
	1-person		2+ persons		1-person		2+ persons	
Householder 65 to 74 years	2,853	15.5%	6,844	8.1%	1,433	6.1%	901	2.1%
Householder 75 years and over	3,829	20.8%	4,842	5.8%	3,336	14.3%	1,047	2.4%
Total households:	18,408	36.3%	84,016	13.9%	23,373	20.4%	43,365	4.5%

SOURCE: Table HCT2 (2000 Census).

Table 9 shows that there are 18,408 1-person homeowner households in Washington County, of which 6,700 (36.3%) are age 65 years or older (20.8% of the 1-person homeowner households are age 75 years or older, while 15.5% of the 1-person homeowner households are age 65 to 74). There are 23,373 1-person renter households in Washington County, of which 4,769 (20.4%) are age 65 or older. In contrast, of the 43,265 renter households with two or more persons, only 1,948 (4.5%) are age 65 or older. As can be seen, the vast majority of households of two or more persons, where the households is age 65 or older, live in ownership units.

In addition, the vast majority of older residents of Washington County live in single family homes. More than 7,000 of the roughly 13,000 householders age 75 or older (59%) live in single family homes. Nearly 9,000 of the roughly 12,000 householders age 65 to 74 (74%) live in single family homes. Of the combined 16,600 householders age 65 or older living in single family homes, 15,500 (93%) live in ownership units.

Table 10
Tenure by Age of Householder (occupied housing units)
and Number of Units in Housing Structure
Washington County

# of units in structure	Number of Occupied Housing Units			
	Owner Occupied		Renter Occupied	
	65 – 74 Years Old	75+ Years Old	65 – 74 Years Old	75+ Years Old
1 unit, detached or attached	8,463	7,040	484	601
2 to 4 units in structure	197	244	372	475
5 to 19 units in structure	88	151	613	812
20 to 49 units in structure	28	50	308	413
50 or more units in structure	0	35	486	2,027
Mobile home	883	1,137	71	55
Boat, RV, van, etc.	38	14	0	0
Total housing units by age & tenure	9,697	8,671	2,334	4,383

Source: Table HCT4 (2000 Census).

The barrier to housing choice in Washington County arises because these aging households do not have smaller housing units into which they can move in Washington County should they decide to “downsize” from their existing home ownership units. In order for an older person to move into a smaller unit, they would be required to move into rental units and to begin spending down the equity that they had built up in their homes. Owner-occupied units in the county have 6.7 rooms. The smaller units are primarily rental units, having on average 4.0 rooms. As the table below documents, 55% of all ownership units in Washington County have seven or more rooms; 34% of all ownership housing units have eight or more rooms

Table 11
Tenure by Rooms (occupied housing units)

	Owner-Occupied		Renter Occupied	
	No. of Units	Percent of Units	No. of Units	Pct of Units
1 room	104	0.1%	3,080	4.6%
2 rooms	759	0.7%	8,846	13.3%
3 rooms	3,168	3.1%	12,744	19.1%
4 rooms	6,089	5.9%	18,838	28.2%
5 rooms	14,894	14.5%	12,746	19.1%
6 rooms	21,576	21.1%	5,935	8.9%
7 rooms	20,643	20.2%	2,499	3.7%
8 rooms	16,192	15.8%	1,238	1.9%
9 or more rooms	18,999	18.5%	812	1.2%
Total occupied:	102,424	100.0%	66,738	100.0%

Source: Table H26 (2000 Census)

The same barrier can be seen by looking at the number of *bedrooms* (rather than total rooms) by tenure. While a significant number of rental units have either zero (0) or one (1) bedroom (33.9%), fewer than three percent (3.0%) of the total number of *ownership* units in Washington County offer the choice of having one bedroom or less. The issue is not one of the affordability of housing. It is one of appropriate sizing.

Table 12
Tenure by Bedrooms (occupied housing units)

	Owner-Occupied		Renter Occupied	
	No. of Units	Percent of Units	No. of Units	Pct of Units
0 bedrooms	369	0.4%	3,567	5.3%
1 bedroom	2,336	2.3%	19,094	28.6%
2 bedrooms	14,029	13.7%	28,554	42.8%
3 bedrooms	51,389	50.2%	12,976	19.4%
4 bedrooms	28,128	27.5%	2,079	3.1%
5 or more bedrooms	6,173	6.0%	468	0.7%
Total occupied:	102,424	100.0%	66,738	100.0%

Source: Table H42 (2000 Census)

The housing choice issue presented arising from this analysis is the fact that, even if older householders could afford to move into a smaller unit when they choose to downsize from their existing homes, Washington County offers no units into which aging household members can move.

3. Family Status

Fair housing issues based on family status present two different issues in Washington County. First, there is a lack of housing choice for larger families. Second, there is an issue relating to the discrimination against households with children due to the presence of lead paint.

a. Large Families.

The housing stock of Washington County does not provide adequate housing choices for larger households. There is a substantial population of larger households in Washington County. Nearly 30% of all homeowners and more than 20% of all renters in Washington County have households with four or more persons.

Table 13
Tenure by Household Size (Washington County OR)

Household size	Owner		Renter	
1 persons	18,408	18.0%	23,373	35.0%
2 persons	36,559	35.7%	19,724	29.6%
3 persons	17,664	17.2%	10,145	15.2%
4 persons	18,453	18.0%	7,292	10.9%
5 persons	7,436	7.3%	3,447	5.2%
6 persons	2,353	2.3%	1,572	2.4%
7 persons	1,551	1.5%	1,185	1.8%
Total (4 persons or more)	29,793	29.1%	13,496	20.2%
Total	102,424	100.0%	66,738	100.0%

SOURCE: Table H17 (2000 Census).

The size of the housing unit that should be made available can be derived from that which is typically made available. Most households do not choose to live in housing units that result in a “density” of more than 1.0 person per room in Washington County.¹⁶ Indeed, most households choose to live in units with densities of less than 0.5 persons per room. As can be seen, 98% of owner-occupied units have fewer than 1.00 person per room, while 90% of renter occupied units do. Nearly 80% of owner-occupied units have fewer than 0.50 persons per room, while more than 55% of renter-occupied units have fewer than 0.50 persons per room.

¹⁶ According to the Census Bureau: “Although the Census Bureau has no official definition of crowded units, many users consider units with more than one occupant per room to be crowded.”

Table 14
Household Density by Tenure (occupied housing units)

Persons per room	Owner-Occupied Units			Renter-Occupied Units		
	Total HHs	Pct	Cum Pct	Total HHs	Pct	Cum Pct
0.50 or less	79,381	77.5%	77.5%	37,450	56.1%	56.1%
0.51 to 1.00	20,783	20.3%	97.8%	22,521	33.7%	89.9%
1.01 to 1.50	1,426	1.4%	99.2%	3,583	5.4%	95.2%
1.51 to 2.00	635	0.6%	99.8%	2,130	3.2%	98.4%
2.01 or more	199	0.2%	100.0%	1,054	1.6%	100.0%
Total households:	102,424			66,738		

Source: Table H20 (2000 Census).

There is some age differentiation in these results, but it is not substantial. The percentage of homeowners in the age brackets of from 25 years old to 54 years old living in homes with a density of 1.00 persons per room or less ranged from 95% to 98%. The percentage of equivalent renter households living with a density of 1.00 persons per room or less ranged from 86% to 94%.

Table 15
Household Density by Tenure by Age of Householder (occupied housing units)

Persons per room	Owner-Occupied Units			Renter-Occupied Units		
	25 – 34 year	35 – 44 years	45 – 54 years	25 – 34 year	35 – 44 years	45 – 54 years
1.00 or less	14,266	25,936	25,424	18,934	13,250	8,658
1.01 to 1.50	458	568	248	1,585	927	278
1.51 or more	273	343	140	1,526	762	311
Total households:	14,997	26,847	25,812	22,145	14,959	9,247
Percent 1.00 or less	95%	97%	98%	86%	89%	94%

Source: Table H21 (2000 Census).

There appear to be sufficient numbers of home ownership units large enough to house larger households in Washington County. While there are roughly 30,000 households with four or more people in Washington County, there are more than 77,000 home ownership units with six or more rooms. While there are 11,340 households with five or more persons, there are more than 35,000 homeownership units with eight or more rooms.

In contrast, the number of rental units does not appear to be adequate to satisfy the number of larger households. While there are 13,500 renter households with four or more persons, there are only 10,500 rental units with six or more rooms. While there are 6,200 renter households with five or more persons, there are only 2,050 rental units with eight or more rooms. Even if all units of appropriate size are assumed to be rented by households needing that much room (i.e., no household rents a unit that is “too large” for them), an assumption that is demonstrably in error,¹⁷ there is a scarcity of appropriately sized rental units.

As with many communities, Washington County has an ongoing concern about the fiscal impact of new housing development. Particular concern exists with the impact of new housing development on schools. The manifestation of these fiscal concerns, however, frequently raises the specter of explicit intentional discrimination against households with families in local decision making. Decisions regarding proposed new developments, for example, may be driven, in part, by the desire *not* to develop housing that would increase the number of families moving to the various Washington County communities. Providing adequate rental housing, as well as providing adequate housing for families, including larger families, is necessary to provide a full range of housing choice.

Intentional discrimination based on protected classes is, of course, unlawful under federal fair housing laws. Additional education is necessary to inform local decision makers that discrimination against families with children, including explicit effort to “childproof” a community, is not allowed under federal law.

b. Lead Paint and Households with Children

Housing units built prior to 1978 have a high probability of having lead paint. Given the age of Washington County’s housing stock, it is likely that lead-based paint (LBP) hazards exist in a significant number of units. According to the 2000 Census, 52%

¹⁷ "Fair Housing and Affordable Housing: Availability, Distribution and Quality." 1997 *Colloqui: Cornell Journal of Planning and Urban Issues* 9.

of Washington County home ownership units and 44% of the county's rental units were built before 1979. Using HUD estimates of the incidence of lead based paint by year of construction,¹⁸ an estimated 11% of all Washington County home ownership units, and 9% of all Washington County rental units, have LBP hazards (peeling paint, lead dust or lead in the soil).

Table 16
Age of Housing Stock and Estimated Lead Based Paint (LBP) Incidence (2000)

Year Built	Owner Occupied				Renter Occupied			
	# Occupied Units	% of Occupied Units	% with Lead Based Paint	# Units with LBP	# Occupied Units	% of Occupied Units	% with Lead Based Paint	# Units with LBP
1939 or earlier	3,828	3.7%	73.0%	2,794	1,544	2.3%	73.0%	1,127
1940 to 1949	3,616	3.5%	45.0%	1,627	1,717	2.6%	45.0%	773
1950 to 1959	7,165	7.0%	45.0%	3,224	2,853	4.3%	45.0%	1,284
1960 to 1969	13,150	12.8%	9.0%	1,184	6,826	10.2%	9.0%	614
1970 to 1979	25,465	24.9%	9.0%	2,292	16,498	24.7%	9.0%	1,485
1980 to 1989	16,854	16.5%	4.0%	674	13,640	20.4%	4.0%	546
1990 to 1994	13,665	13.3%	0.0%	0	8,803	13.2%	0.0%	0
1995 to 1998	14,942	14.6%	0.0%	0	12,711	19.0%	0.0%	0
1999 to March 2000	3,739	3.7%	0.0%	0	2,146	3.2%	0.0%	0
Total:	102,424	100.0%			66,738	100.0%		

Lead based paint hazards present serious health risks to children under the age of 6 or 7. Realtors often indicate that landlords will not rent to households with young children because of fear of liability. Liability might arise because of the dangers from deteriorated lead based paint.

Moreover, state policy requires that lead paint hazards in homeowner and rental units occupied by children under 6 be removed. Given the often-high cost of lead

¹⁸ HUD National Survey of Lead and Allergens in Housing, Final Report, Volume I, page 4-7 and A-8. (2000)

abatement, a significant number of Washington County landlords may refuse to rent to families with young children, even though it is illegal to discriminate on that basis.

The dangers of deteriorated lead based paint are not insubstantial in Washington County.¹⁹ Again using HUD estimates of the incidence of lead based paint by year of construction, an estimated 7% of all Washington County home ownership units, and 5% of all Washington County rental units have deteriorated LBP hazards in the units.

Table 17
Age of Housing Stock and Estimated Deteriorated Lead Based Paint (LBP) Incidence (2000)

Year Built	Owner Occupied				Renter Occupied			
	# Occupied Units	% of Occupied Units	% with Deteriorated LBP	# Units with Deteriorated LBP	# Occupied Units	% of Occupied Units	% with Deteriorated LBP	# Units with Deteriorated LBP
1939 or earlier	3,828	3.7%	56%	2,144	1,544	2.3%	56%	865
1940 to 1949	3,616	3.5%	32%	1,157	1,717	2.6%	32%	549
1950 to 1959	7,165	7.0%	32%	2,293	2,853	4.3%	32%	913
1960 to 1969	13,150	12.8%	3%	395	6,826	10.2%	3%	205
1970 to 1979	25,465	24.9%	3%	764	16,498	24.7%	3%	495
1980 to 1989	16,854	16.5%	0%	0	13,640	20.4%	0%	0
1990 to 1994	13,665	13.3%	0%	0	8,803	13.2%	0%	0
1995 to 1998	14,942	14.6%	0%	0	12,711	19.0%	0%	0
1999 to March 2000	3,739	3.7%	0%	0	2,146	3.2%	0%	0
Total:	102,424	100.0%			66,738	100.0%		

Washington County's old homes will continue to get older, and lead painted surfaces will naturally deteriorate or generate lead dust from normal wear and tear. These old homes will also need maintenance and renovation to continue to house families. Despite all this, landlords may not refuse to rent to families with children because of the presence of lead paint. Discrimination against families in rental housing is against the law. The federal Fair Housing Act says that you cannot refuse to rent to someone because they have kids.

¹⁹ Deteriorated lead paint is that paint which has begun to chip, peel, or deteriorate into dust. Lead paint can exist that has not yet begun to deteriorate. The older the home, the more likely that lead paint has begun to deteriorate.

4. Disability Status

The affordability and availability of housing combine in Washington County to present substantial barriers to housing choice for Washington County households with disabilities. The affordability and availability of housing is assessed through the use of Supplemental Security Income (SSI) payments as a surrogate for the income of disabled persons generally. According to the federal Social Security Administration (SSA), in December 2003, 4,249 Washington County residents received a total of \$1,772,000 in payments, an average monthly payment of \$417 (\$5,004 annually).²⁰

There can be little question but that the fundamental problem facing SSI recipients in Washington County, as elsewhere, is their low income. The table below shows where average SSI benefits in Washington County fall as a proportion of the Federal Poverty Level for a one-person household for the past five years. While SSI recipients have made minor advances relative to the Federal Poverty Level, they still live with incomes well below the poverty level. Households with these income levels will experience difficulty in finding housing in Washington County.

Table 18
Average SSI Benefits as Percent of Federal Poverty Level (1-person HH)
1999 – 2003 Washington County

	1999	2000	2001	2002	2003
SSI Benefit	\$4,140	\$4,757	\$4,895	\$4,989	\$5,004
100% Federal Poverty Level	\$8,240	\$8,350	\$8,590	\$8,860	\$8,980
SSI as Pct of FPL	50%	57%	57%	56%	56%

NOTES: SSI benefits obtained from annual Social Security Administration publication, SSI Recipients by State and County. Federal Poverty Level published annually in the Federal Register by the U.S. Department of Health and Human Services.

To place the income difficulty of Washington County SSI recipients in a housing context, we have converted SSI benefits into an “SSI Wage.” The SSI Wage is calculated simply by dividing the annual SSI benefit by 2,080 hours (40 hours/week x 52 weeks/year).²¹ This “SSI Wage” is then compared to the “Housing Wage” for Washington

²⁰ Social Security Administration, SSI Recipients by State and County, 2003, Table 3 (December 2003).

²¹ This is the accepted mechanism used to calculate the housing affordability impacts

County.²² A housing wage is the hourly wage necessary to afford the Fair Market Rent for a two-bedroom unit as calculated annually by the National Low-Income Housing Coalition. A Housing Wage is calculated for each county in the nation. As the table below shows, the SSI Wage is but a fraction of that needed to rent an affordable housing unit in Washington County.²³ In December 2003, SSI benefits provided only 15.7% of the income needed to afford basic housing in the county.

Table 19					
<i>Extent to which SSI Wage Covers Housing Wage in Washington County</i>					
	Dec-03	Dec-02	Dec-01	Dec-00	Dec-99
Avg monthly benefit /a/	\$417	\$416	\$408	\$396	\$345
Annual benefit	\$5,004	\$4,989	\$4,895	\$4,757	\$4,140
SSI Wage	\$2.41	\$2.40	\$2.35	\$2.29	\$1.99
Monthly housing wage	\$15.29	\$14.83	\$14.37	\$14.04	\$12.40
SSI Benefit as pct of housing wage	15.7%	16.2%	16.4%	16.3%	16.1%
NOTES:					
/a/ Social Security Administration, SSI Recipients by State and County (annual).					

Moreover, the table indicates that housing has, over the past five years, become *less* affordable to disabled persons in Washington County. While the SSI benefit increased by 21.1% over the five year span, the monthly Housing Wage increased by 23.3%. While the SSI Wage was 16.1% of the Housing Wage SSI recipients in December 1999, it had fallen to only 15.7% of the Housing Wage by December 2003. Disabled residents of Washington County are falling further behind in their ability to find affordable housing in the county.

The housing choice problems presented to SSI recipients in Washington County affect a substantial number of persons. According to the U.S. Social Security

of SSI benefits. See, Ann O'Hara and Emily Miller (May 2000). *Priced Out in 2000: The Crisis Continues*, Technical Assistance Collaborative: Boston (MA).

²² A county-by-county housing wage is presented each year by the National Low-Income Housing Coalition in its annual *Out of Reach* study (<http://www.nlihc.org>).

²³ A unit is affordable if the household need not spend more than 30% of its income for rent.

Administration, Washington County has a large and growing population of disabled persons.

Table 20
SSI Recipients (2000 – 2003) Washington County

	2000	2001	2002	2003
Aged	867	931	972	1,008
Blind and Disabled	2,728	2,847	3,064	3,241
Total	3,595	3,778	4,036	4,249

NOTES: The Social Security Administration annually publishes the number of SSI recipients by county in its statistical report, *SSI Recipients by State and County*.

The barriers to addressing the lack of housing choice by disabled persons in Washington County are multi-fold:

- The lack of adequate public housing facilities dedicated to disabled individuals.
- The lack of multi-family housing production that would help soften the market and produce new accessible units.
- The lack of facilities where rents do not exceed 30% of income.
- The lack of adequate in-home social services that would allow for, and promote, independent living.
- The lack of adequate transportation services that would increase mobility and thus housing choice.
- The lack of zoning and building code relief that would allow for, and facilitate, the siting and construction of group homes.

C. THE INTERSECTION OF FAIR AND AFFORDABLE HOUSING

Two intersections of fair and affordable housing are explored below. The first addresses occupancy distribution. This issue involves an assessment of whether, even if affordable housing is physically available in a community, that housing is available in fact to the population that needs it. The second issue involves the accessibility of commercial

credit for home ownership purposes.

1. Occupancy Distribution and Affordable Housing

The impact which housing affordability has on fair housing is examined below within the context of two factors. First, the inquiry should be into whether affordable housing exists given the existing distribution and demographics of low-income households in Washington County. Second, even if affordable housing exists, an inquiry should be made into whether that housing is available to those who need it. Each of these factors is considered below.

Just because housing is available at prices affordable to households with lower incomes does not mean that that housing is occupied by households with lower incomes. In fact, affordable housing units are often likely to be occupied by households with much higher incomes than those minimally needed to “afford” the particular unit. Accordingly, this leaves a shortfall of affordable units for lower income households.

This phenomenon was documented in 1997 in Cornell University’s planning journal:

The traditional method of planning for fair and affordable housing within a community considers the quantity of affordable housing units available to low income households. By this method, an adequate supply of housing is deemed to exist if the number of units that are affordable at a given income level is equal to the number of households at that income level. Recent work, however, indicates that when the number of housing units affordable at particular income levels is merely equal to the number of households at those incomes, the supply of affordable housing is inadequate. In addition to examining the quantity of units, planners should consider both the quality of those units and the distribution of occupancy.

By considering these two additional factors, planners can account for the extent to which housing is occupied by households at differing levels of income as well as the extent to which affordable housing may be substandard. For example, even when 100 units of affordable housing exist for households at or below 50 percent of median income, not all 100 of those units of those units are necessarily occupied by households at or below 50 percent of median income. Instead, some may be occupied by households at 80 percent of median income. In addition, merely because 100 units of affordable housing exist does not mean that each of those units

is of adequate quality.²⁴

This phenomenon is certainly the case in Washington County and its various municipal subcomponents. Data was examined for Washington County, as well as for six municipalities (Beaverton, Cornelius, Forest Grove, Hillsboro, Sherwood, and Tigard). Four tiers of unit affordability were examined for renters and homeowners:

- Renters, units affordable at or below 30% of HUD Area Median Family Income (HAMFI); 30-50% of HAMFI; 50-80% HAMFI; and above 80% HAMFI.
- Homeowners, units affordable at or below 50% of HAMFI; 50 –80% of HAMFI; 80-100% of HAMFI; and above 100% of HAMFI. HUD reports data separately for homeowners with and without mortgages.

Data was taken from the U.S. Department of Housing and Urban Development's (HUD) CHAS Data Book.²⁵ This data, based on the 2000 Census, was made available on-line in May 2004.²⁶

Three sets of tables are attached showing the results of this inquiry. The first set of tables shows data for the six municipalities. As can be seen, a substantial number of units affordable at the different levels of income are, in fact, occupied by households with much higher incomes. In Beaverton, 45.3% of the rental units affordable at or below 30% of median income were occupied by households with incomes above 30% of median income. In Tigard, 50.8% of rental units affordable at or below 30% of median income were actually occupied by households with income at or below 30% of median income.

Home ownership units are overwhelmingly occupied by households that have incomes higher than that necessary to afford the units. In Cornelius, 94.5% of home ownership units (with mortgage) affordable at 50 – 80% of median income were occupied by households with incomes that were higher than 80% of median. In Sherwood, 85.8% of the home ownership units affordable at 80 – 100% of area median income were occupied by households with incomes higher than 100% of median.

²⁴ Roger Colton (1997), "Fair and Affordable Housing for the Poor: Accounting for Occupancy Distribution and Housing Quality," 1997 *Colloqui: Cornell Journal of Planning and Urban Issues* 9 (1997).

²⁵ CHAS is the Comprehensive Housing Affordability Strategy.

²⁶ The CHAS data is made available through HUD's on-line State of the Cities Data System: <http://socds.huduser.org/index.html>.

Overall, it appears that there is a moderately higher proportion of affordable housing in Washington County that is occupied by higher income households than is true statewide. While statewide, 56.1% of all rental units affordable at or below 30% of median income are occupied by households with higher than needed incomes, 59.1% of such units are occupied by higher income households in Washington County. While 53.4% of rental units affordable at 30 – 50% of median income statewide are occupied by households with higher than needed incomes, 57.6% of such rental units are so occupied in Washington County. The respective statewide and countywide percentages for rental units affordable at 50 – 80% of median income are 44.9% (statewide) and 50.4% (countywide). The data appears to be consistent, albeit to a greater or lesser degree, throughout the home ownership units as well (both with and without mortgages).

What this means is that many lower-income households are left with the prospect of renting (or buying) homes that are unaffordable to them.²⁷ For example, there are more than 3,400 households with income below 30% of area median income that occupy one bedroom housing units that are affordable only at incomes greater than 50% of median (915: affordable at 30 – 50%; 1,950 affordable at 50 – 80%; 575 affordable at 80% or more). This occurs at the same time that 405 one bedroom housing units affordable at below 30% of median income are occupied by households with income more than 30% of median (110 occupied by households with incomes at 30-50% of median; 135 occupied by households with income at 50-80% of median; 30 occupied by households with income at 80-95% of median; and 130 occupied by households with income above 95% of median).

In sum, exactly matching the number of units affordable at a designated income with the number of households which have incomes at that level will not provide an adequate supply of affordable housing. The data in Washington County generally, and in the six municipalities studied in Washington County specifically, demonstrates that the occupancy distribution within affordable housing units results in many affordable units being consumed by households with greater incomes.

²⁷ Some households, of course, would choose to rent or buy homes that impose a shelter burden of greater than 30% of income. Others would be forced to do so, because the supply of affordable housing is inadequate. The data does not allow us to distinguish between those two types of renting/buying decisions.

Table 21A: Renter Occupancy Distribution: Washington County, Communities

Affordable < 30% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	320	75	10	40	45	45	20	15	35	0	25	15	15	30	50	740	45.3%	54.7%
Cornelius city	0	4	4	0	0	10	0	0	0	0	0	10	0	10	0	38	78.9%	21.1%
Forest Grove city	100	75	35	10	20	25	25	4	15	0	0	0	20	10	0	339	38.1%	61.9%
Hillsboro city	220	35	60	40	25	35	20	10	25	4	20	15	40	45	80	674	53.3%	46.7%
Sherwood city	35	0	15	0	0	0	15	0	25	0	0	0	0	15	0	105	52.4%	47.6%
Tigard city	45	60	20	10	15	20	4	10	0	0	15	10	0	30	15	254	50.8%	49.2%

Affordable 30% - 50% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	190	210	60	225	305	95	250	455	50	110	135	20	50	370	80	2,605	58.3%	41.7%
Cornelius city	15	25	25	10	0	4	0	50	15	0	10	4	10	35	10	213	62.9%	37.1%
Forest Grove city	135	105	45	110	105	50	90	240	30	20	45	15	45	65	40	1,140	51.8%	48.2%
Hillsboro city	120	130	60	145	165	65	55	210	60	20	45	20	40	125	80	1,340	48.9%	51.1%
Sherwood city	20	0	0	20	25	0	4	35	0	0	4	0	0	20	4	132	50.8%	49.2%
Tigard city	60	210	20	60	270	10	85	300	20	45	90	0	75	195	40	1,480	57.4%	42.6%

Affordable 50% - 80% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	545	360	65	640	585	200	1,375	1,320	420	565	620	170	1,410	2,120	600	10,995	49.9%	50.1%
Cornelius city	35	60	25	65	60	25	25	45	30	0	25	10	35	30	70	540	31.5%	68.5%
Forest Grove city	120	80	10	45	55	25	120	125	50	25	45	30	35	70	75	910	30.8%	69.2%
Hillsboro city	265	355	120	300	410	250	655	855	405	235	450	270	940	1,695	895	8,100	55.4%	44.6%
Sherwood city	35	10	0	15	50	15	20	55	60	15	25	35	10	135	65	545	52.3%	47.7%
Tigard city	255	120	45	405	300	75	520	525	125	175	245	65	420	860	270	4,405	46.2%	53.8%

Affordable > 80% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	
Beaverton city	80	35	25	150	15	25	225	75	45	75	40	70	190	285	400	1,735
Cornelius city	20	0	0	4	0	0	0	0	0	10	0	0	0	0	4	38
Forest Grove city	100	10	0	75	40	0	90	0	10	30	0	4	25	35	20	439
Hillsboro city	160	15	30	155	20	10	235	10	55	35	30	10	300	340	390	1,795
Sherwood city	0	0	0	0	0	0	0	10	20	0	0	0	0	0	60	90
Tigard city	15	20	15	40	10	4	80	15	75	20	15	20	85	80	230	724

Table 21B: Owner with No Mortgage Occupancy Distribution: Washington County, Communities

Affordable < 50% HAMFI																		
PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	4	15	0	25	35	10	4	20	15	0	0	0	4	4	15	151	87.4%	12.6%
Cornelius city	0	55	10	0	10	15	4	55	15	0	10	0	0	20	0	194	66.5%	33.5%
Forest Grove city	25	15	10	0	30	35	0	35	25	0	20	20	0	20	25	260	80.8%	19.2%
Hillsboro city	10	25	10	15	55	10	0	65	0	10	10	4	10	25	15	264	83.0%	17.0%
Sherwood city	0	4	0	0	0	4	10	15	15	0	4	10	0	4	0	66	93.9%	6.1%
Tigard city	15	0	0	10	10	0	4	0	0	0	0	0	10	25	0	74	79.7%	20.3%
Affordable 50% - 80% HAMFI																		
PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	10	10	10	10	35	25	4	85	40	0	30	15	4	60	80	418	76.1%	23.9%
Cornelius city	0	0	20	0	10	10	0	0	15	0	0	10	0	0	20	85	52.9%	47.1%
Forest Grove city	0	4	10	0	25	0	0	20	50	0	10	20	0	10	50	199	80.4%	19.6%
Hillsboro city	0	50	20	0	30	20	0	55	60	0	10	30	0	10	95	380	68.4%	31.6%
Sherwood city	0	25	0	4	0	4	0	0	10	0	0	0	0	0	4	47	29.8%	70.2%
Tigard city	0	25	0	0	10	10	10	15	15	0	10	4	0	45	75	219	79.5%	20.5%
Affordable 80% -100% HAMFI																		
PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	0	10	25	0	10	105	0	35	210	0	15	75	0	45	455	985	59.9%	40.1%
Cornelius city	0	0	0	0	0	10	0	4	15	0	0	10	0	0	10	49	40.8%	59.2%
Forest Grove city	0	0	30	0	0	55	0	0	50	0	0	10	0	10	140	295	54.2%	45.8%
Hillsboro city	0	0	80	0	10	60	4	10	160	0	0	95	4	4	300	727	55.4%	44.6%
Sherwood city	0	0	4	0	0	4	0	0	45	0	0	4	0	0	60	117	54.7%	45.3%
Tigard city	10	15	4	0	25	60	4	30	95	0	15	60	0	60	230	608	60.0%	40.0%
Affordable > 100% HAMFI																		
PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total		
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	0	15	30	0	10	55	0	10	95	4	10	45	10	60	555	899		
Cornelius city	0	0	0	0	0	10	0	0	0	0	0	0	0	15	25	50		
Forest Grove city	0	0	4	0	0	0	0	10	35	0	0	20	0	0	55	124		
Hillsboro city	4	15	0	0	20	70	0	15	80	10	10	45	0	75	300	644		
Sherwood city	0	0	0	0	0	0	4	4	15	0	0	0	0	4	50	77		
Tigard city	0	45	30	0	45	55	0	115	90	0	15	65	0	125	385	970		

Table 21C: Owner with Mortgage Occupancy Distribution: Washington County, Communities

Affordable < 50% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	0	0	0	4	25	0	15	20	15	15	15	10	4	10	30	163	100.0%	0.0%
Cornelius city	0	0	0	0	20	0	10	20	30	0	0	0	0	10	50	140	100.0%	0.0%
Forest Grove city	0	0	20	10	15	20	10	30	50	15	25	35	30	10	110	380	94.7%	5.3%
Hillsboro city	0	25	0	0	10	0	15	55	35	0	4	10	10	35	50	249	90.0%	10.0%
Sherwood city	0	0	4	0	10	4	0	15	30	0	10	15	4	10	30	132	97.0%	3.0%
Tigard city	0	0	0	4	0	0	0	10	10	0	0	0	4	10	15	53	100.0%	0.0%

Affordable 50% - 80% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	0	50	15	15	20	30	25	175	80	20	105	35	55	315	250	1,190	89.1%	10.9%
Cornelius city	0	0	0	0	10	10	0	25	85	0	10	45	0	50	130	365	94.5%	5.5%
Forest Grove city	0	15	10	0	0	0	0	35	30	0	0	40	0	50	140	320	92.2%	7.8%
Hillsboro city	0	4	55	15	40	45	25	115	125	0	60	65	10	205	430	1,194	86.7%	13.3%
Sherwood city	0	10	0	0	0	0	10	0	15	0	0	25	0	35	50	145	93.1%	6.9%
Tigard city	0	0	0	4	15	10	0	15	35	0	45	30	15	120	185	474	93.9%	6.1%

Affordable 80% -100% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Beaverton city	0	0	90	4	4	80	10	35	330	0	35	335	45	210	2,750	3,928	85.9%	14.1%
Cornelius city	0	0	4	10	0	30	0	0	205	0	30	80	0	25	580	964	74.2%	25.8%
Forest Grove city	0	0	25	15	0	40	0	0	165	15	15	125	10	65	790	1,265	80.6%	19.4%
Hillsboro city	0	4	95	4	10	185	0	35	650	0	35	505	20	215	4,155	5,913	83.4%	16.6%
Sherwood city	0	0	30	0	0	25	0	0	100	0	4	70	0	0	860	1,089	85.8%	14.2%
Tigard city	0	10	40	0	10	50	0	40	295	0	15	185	4	175	1,640	2,464	81.9%	18.1%

Affordable > 100% HAMFI

PLACENM	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	
Beaverton city	4	15	75	15	10	110	15	70	265	40	25	260	75	315	5,690	6,984
Cornelius city	25	0	15	0	10	0	35	0	0	15	0	25	25	0	65	215
Forest Grove city	0	10	0	0	4	4	10	15	30	10	10	55	4	25	465	642
Hillsboro city	4	4	40	20	25	30	25	65	175	4	45	175	90	245	2,795	3,742
Sherwood city	0	0	4	0	0	35	4	25	85	10	4	65	20	60	1,385	1,697
Tigard city	0	4	65	0	30	90	0	110	195	0	25	205	40	310	3,695	4,769

Table 22A: Occupancy Distribution: Renters, Washington County

Affordable < 30% HAMFI																		
CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	845	390	310	110	215	255	135	165	355	30	90	150	130	280	320	3,780	59.1%	40.9%
Affordable 30% - 50% HAMFI																		
CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	915	1170	315	895	1470	380	975	2125	390	315	610	185	470	1355	565	12,135	57.6%	42.4%
Affordable 50% - 80% HAMFI																		
CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	1950	1535	610	2320	2270	1070	4375	4875	2150	1560	2265	1145	4350	7965	4220	42,660	50.4%	49.6%
Affordable > 80% HAMFI																		
CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI					
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	575	120	115	520	140	75	885	235	410	240	105	245	1060	1165	2250			

Table 22B: Occupancy Distribution: Owner with No Mortgage (Washington County)

Affordable < 50% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	75	275	125	110	400	135	65	405	225	15	105	115	65	255	225	2,595	81.7%	18.3%

Affordable 50% - 80% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	20	210	135	30	210	160	25	400	390	10	115	185	20	295	705	2,910	73.7%	26.3%

Affordable 80% - 100% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	15	65	295	20	105	485	20	255	1090	4	65	435	20	305	2465	5,644	58.4%	41.6%

Affordable > 100% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 - 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR			
Washington County	35	145	275	4	190	445	30	325	1090	15	180	495	60	895	4600			

Table 22C: Occupancy Distribution: Owner with Mortgage (Washington County)

Affordable < 50% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Washington County	30	90	105	60	105	110	65	380	400	45	115	230	115	235	905	2,990	92.5%	7.5%

Affordable 50% - 80% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Washington County	10	135	200	50	225	200	120	715	690	35	375	560	165	1505	2415	7,400	88.9%	11.1%

Affordable 80% - 100% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Washington County	4	60	500	45	70	805	35	215	3050	30	210	2395	175	1250	20280	29,124	83.6%	16.4%

Affordable > 100% HAMFI

CNTYNAME	Occupied < 30% HAMFI			Occupied 30 - 50% HAMFI			Occupied 50 – 80% HAMFI			Occupied 80 - 95% HAMFI			Occupied >95% HAMFI			Total	Pct > Aff Income	Pct Affordable
	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms	0-1 BRM	2 BRms	3 BRms			
Washington County	60	140	570	100	110	740	180	515	2055	150	210	1710	575	2160	33700			

2. The Availability of Commercial Credit

The availability of commercial credit appears to present a substantive barrier to home ownership choice in Washington County. This analysis looks at the lending patterns of six financial institutions in the Portland-Vancouver Metropolitan Statistical Area (MSA). It focuses on Home Mortgage Disclosure Act (MHDA) data for 2002, the most recent year available. The institutions considered include:

- Bank of America
- Homestreet Bank
- Umpqua Bank
- Washington Mutual Bank
- Wells Fargo Bank
- Wells Fargo Home Mortgage Company

These institutions were selected because of their major presence in the Portland-Vancouver MSA. These six institutions generated:

- 11% of the applications for conventional home purchase loans from white households;
- 13% of the applications for conventional home purchase loans from Black households;
- 15% of the applications for conventional home purchase loans for Hispanic households.

According to the Federal Financial Institution Examination Council (FFIEC), there are 280 financial institutions reporting HMDA data in Washington County. HMDA data, however, is reported only on an MSA-wide basis.

These six financial institutions did not engage in lending practices that reflect the racial diversity in the Portland-Vancouver MSA. Table 27 presents the most recent year's data on the number of loan applications taken by the six financial institutions. The data reflect applications for:

- Conventional home purchase loans
- Refinancing loans
- Home improvement loans

The table presents data for Black, White and Hispanic applications. Other applicants exist that are not reflected in this table.

The lending occurs in a racially diverse metropolitan area. According to the 2000 Census data, there are 741,776 households in the Portland –Vancouver MSA. Of those, 641,396 are White (86.5%), 17,384 Black (2.3%), and 33,007 are Hispanic (4.5%).²⁸ The racial diversity is not reflected in the tenure of householders. Of the 466,349 homeowners in the MSA, 428,003 (91.8%) are white, while 6,685 (1.4%) are Black. Of the 33,007 Hispanic householders, 10,512 are homeowners while 22,495 are renters. Even assuming that all Hispanic homeowners are white,²⁹ the distribution of homeowners would be as follows:

Table 23
Number of Homeowners by Race and Hispanic Ethnicity
(Portland/Vancouver MSA)

White alone	417,491	89.5%
Black alone	6,685	1.4%
Hispanic/Latino	10,512	2.3%
Other	31,661	6.8%
Total homeowners	466,349	100.0%

There has been significant in-migration for the Portland-Vancouver MSA. For example, 363,555 White persons moved in from a different county in the U.S. within the past five years. More than 38,000 Hispanic persons moved into the MSA from a different U.S. county during that time period.

²⁸ The White-alone and Black-alone households exclude those that are Hispanic.

²⁹ Of the 33,007 Hispanic households, only 370 are Black.

Table 24
Population by 1995 Place of Residence
(Portland/Vancouver MSA)

	White	Black	Hispanic /a/
Total	1,515,895	44,312	123,285
Same house	720,995	16,661	31,487
Different house	794,920	27,761	91,798
U.S./Same county	400,321	16,098	38,217
U.S./Different county	363,555	9,908	31,835
Foreign or at sea	30,508	1,642	21,574
Puerto Rico/American Islands	436	3	172

/a/ Not mutually exclusive. Some White and Black persons are also Hispanic.

SOURCE: 2000 Census.

In addition to in-migration, there is considerable mobility within the MSA, itself, irrespective of interjurisdictional migration. Of the 33,067 Hispanic households in the MSA, for example, 14,134 moved into their current residence within the past year.

Table 25
Number of Households by Year Moved into Residence

	White	Black	Hispanic /a/
Total	641,396	17,754	33,067
1999 – March 2000	148,110	6,127	14,134
1995 – 1998	202,056	5,904	12,491
1990 – 1994	107,592	2,248	3,756
1980 – 1989	88,400	1,437	1,674
1970 – 1979	55,880	1,080	674
1969 and earlier	39,358	958	278

/a/ Not mutually exclusive. Some White and Black households are also Hispanic.

SOURCE: 2000 Census.

Despite the inflow of Black and Hispanic households into the Portland-Vancouver MSA, area lending institutions are not making home loans to these households. As Table 28 below documents, the six major lending institutions studied made a total of 106 conventional home purchase loans to Hispanic households in 2002, including both households that moved into the area and those who already lived in the area, but purchased a home. These same institutions made only 37 conventional home purchase loans to Black households in the MSA. In contrast, the six institutions made 4,430 conventional home purchase loans to White households.

However examined, the lending patterns do not reflect the demographics of the MSA. The ratio of White households to Black and Hispanic households in the MSA is 62:1 and 40:1 respectively. The ratio of *new* White households to *new* Black and Hispanic households in the MSA is 24:1 and 10:1 respectively.³⁰ In contrast, the ratio of conventional home purchase loans for White households to such loans for Black and Hispanic households was 120:1 and 42:1 respectively.

Table 26
Ratio of White, Black and Hispanic Households, New Households, and
Conventional Home Purchase Loans for Selected Financial Institutions

	Households in MSA	New Households in MSA	Conventional Home Purchase Loans
White-to-Black ratio	62:1	24:1	120:1
White-to-Hispanic ratio	40:1	10:1	42:1

The lack of credit availability is not merely for new home purchases, however. Consider home refinancings. Presumably, refinancings would be relatively credit and income neutral. A homeowner already has a home. They have previously been found to be creditworthy. They have collateral. Reducing the interest rate through a refinancing loan could only serve to make the loan *more* affordable.

Nonetheless, the ratio of White homeowners to Black and Hispanic homeowners in the Portland-Vancouver MSA is 62:1 and 40:1 respectively. The ratio of White loan refinancings to Black and Hispanic refinancing loans, however, is 77:1 and 44:1 respectively. While these numbers do not show *how* or *why* commercial credit is not

³⁰ A “new” household is one that moved into their home within the fifteen month period 1999 through March 2000.

proportionately extended to Blacks and Hispanics, they certainly show that Blacks and Hispanics are under-represented in the lending portfolios of these six institutions.

One reason for the disproportionate lending patterns is the disproportionate rate at which these financial institutions generate loan applications (quite aside from the rate at which loans are actually originated). In 2002, for example, the six study institutions took 5,601 loan applications from White households, while taking only 157 applications from Hispanic households and only 52 applications from Black households.. The ratio of White-to-Black applications was 108:1 while the ratio of White-to-Hispanic applications was 36:1.

Table 27
Number of Applications Taken by Selected Financial Institutions
Portland-Vancouver (OR/WA) MSA -- 2002

	Bank of America	Homestreet Bank	Umpqua Bank	Washington Mutual	Wells Fargo Bank	Wells Fargo Home Mtg	Total
Conventional Home Purchase Loans							
Black	5	7	1	9	3	27	52
Hispanic	24	20	2	26	2	83	157
White	562	536	223	1575	223	2482	5601
Refinancing							
Black	54	18	9	70	35	98	284
Hispanic	115	30	3	108	53	187	496
White	4630	907	805	6717	1528	7391	21978
Home Improvement							
Black	7	2	0	0	10	9	28
Hispanic	10	0	0	1	16	8	35
White	372	11	6	42	188	721	1340

Table 28
Number of Loans Originated by Selected Financial Institutions
Portland-Vancouver (OR/WA) MSA -- 2002

	Bank of America	Homestreet Bank	Umpqua Bank	Washington Mutual	Wells Fargo Bank	Wells Fargo Home Mtg	Total
Conventional Home Purchase Loans							
Black	5	5	0	7	2	18	37
Hispanic	13	15	1	18	2	57	106
White	438	449	172	1142	198	2031	4430
Refinancing							
Black	35	11	6	36	11	64	163
Hispanic	65	25	3	55	20	127	295
White	3702	862	623	4962	1021	5877	17047
Home Improvement							
Black	3	2	0	0	2	3	10
Hispanic	3	0	0	1	2	5	11
White	237	9	2	26	81	531	886

Table 29
Ratio of White, Black and Hispanic Households, New Households, and
Conventional Home Purchase Loan Applications for Selected Financial Institutions

	Households in MSA	New Households in MSA	Conventional Home Purchase Loan Applications
White-to-Black ratio	62:1	24:1	108:1
White-to-Hispanic ratio	40:1	10:1	36:1

As can be seen, the ratio of applications for conventional home loans does not even begin to reflect the rate at which new Black and Hispanic households are entering the Portland-Vancouver MSA. Nor does the ratio of applications for Black households even reflect the existing population distribution. While two of the institutions perform noticeably more poorly than the others amongst the study institutions (Umpqua Bank and Washington Mutual), none perform well.

Table 30
Ratio of White Applications and Loan Originations
to Black and Hispanic Applications and Loan Originations
Six Selected Financial Institutions (Portland-Vancouver MSA) (2002)

	Bank of America	Homestreet Bank	Umpqua Bank	Washington Mutual	Wells Fargo Bank	Wells Fargo Home Mtg
Ratio of White-to-Black						
Applications	112:1	77:1	223:1	175:1	74:1	92:1
Originations	88:1	90:1	NAT	163:1	99:1	113:1
Ratio of White-to-Hispanic						
Applications	23:1	27:1	112:1	61:1	112:1	30:1
Originations	34:1	30:1	172:1	63:1	99:1	36:1

NAT = no application taken.

It is not merely the rate at which applications are taken that contributes to the disproportionate number of loans made to Black and Hispanic households in the Portland-Vancouver MSA, it is the rate at which applications result in loan originations as well. Tables 31 and 32 below document the percentage of applications that yield loan

originations for the six study financial institutions. The tables present data holding incomes constant to help isolate the effect that Black and Hispanic status have on the loan origination decisions.

The six financial institutions in this study routinely originate loans to Black and Hispanic households at a rate much lower than those originated for White households. The Table presents thirty cells for comparison (six institutions for five income bands per institution). In 22 of those 30 instances, the loan origination rates were higher for White applicants than for Black applicants.³¹ In three of the remaining eight instances, there were three or fewer Black applicants, all of which yielded loan originations, yielding an origination rate of 100%.³² Similarly, of the 30 comparison cells for Hispanic applicants, 24 report higher loan origination rates for White applicants than for Hispanic applicants. Similarly, again, of the remaining six cells, four involved three or fewer applicants all of whom were approved (yielding a loan origination rate of 100%).

A second barrier to accessing credit involves the ability to navigate the application process. To the extent that the application process is found to be insurmountable, credit is denied not because the loan application is denied, but rather because the loan application is never completed. The barrier presented by this inability to complete the loan application is documented in Table 34 below. The table presents data on loan refinancings only. The small absolute number of loan applications taken in the first place for conventional home loans makes it not possible to consider the impact of applications closed as incomplete for Black and Hispanic households.

Table 33 presents a comparison of applications closed because they were incomplete for the six study institutions for the year 2002. The application process poses a more substantial barrier to Blacks and Hispanics than to White applicants. In four of the six institutions, the percentage of applications coming from Black households, which applications were closed as incomplete, exceeded the percentage of applications closed as incomplete when those applications came from White households. The procedural barrier presented by daunting application forms has been well-documented. Research in the health care, energy, and food assistance fields document the fact that application forms and procedures can represent insurmountable barriers to accessing services. It is not surprising that this holds true for credit as well.

³¹ Where the financial institution took no applications from Black households, the origination rate was deemed to be higher for White households.

³² With the percentages relating to Black applicants in particular, care must be taken to look at both the percentages *and* the number of originations. The numbers are so small that small changes in numbers will yield substantial changes in percentages.

The presence of this phenomenon is confirmed by an examination of the reasons why applications, even if completed, are denied. Table 34 below shows that three of the five institutions reporting data on the reasons for denying home refinancing applications indicate that denying applications for a failure to complete the credit application falls more heavily on Black, Hispanic, and “joint” households³³ than fall on White applicants. Again, because of the small number of applications for conventional home purchase loans, only refinancing data is presented here.

³³ According to the HMDA explanatory notes presented by the FFIEC, a “joint” household involves white and minority group co-applicants.

Table 31
Number of Applications Yielding Loans Originated by Selected Financial Institutions
(By Income of Census Tract for Conventional Home Purchase Loans)
Portland-Vancouver (OR/WA) MSA -- 2002

	Bank of America	Homestreet Bank	Umpqua Bank	Washington Mutual	Wells Fargo Bank	Wells Fargo Home Mtg
Less than 50% of Median Income						
Black	1	0	0	0	0	0
Hispanic	7	0	0	1	0	7
White	226	27	16	64	2	102
Joint	5	0	0	1	0	2
50 – 79% of Median Income						
Black	7	2	0	3	0	4
Hispanic	18	3	0	6	0	16
White	563	75	38	221	24	363
Joint	19	1	0	4	0	9
80 – 99% of Median Income						
Black	3	1	0	0	0	2
Hispanic	13	3	1	5	0	14
White	484	81	21	185	24	327
Joint	19	3	1	8	0	17
100 – 120% of Median Income						
Black	9	0	0	1	0	2
Hispanic	10	5	0	2	0	8
White	435	64	31	130	30	293
Joint	18	1	0	10	0	13
More than 120% of Median Income						
Black	15	1	0	3	2	9
Hispanic	16	3	0	4	2	11
White	1972	183	67	530	115	892
Joint	105	16	5	25	9	56

NAT = no applications taken

Table 32
Percentage of Applications Yielding Loans Originated by Selected Financial Institutions
(By Income of Census Tract for Conventional Home Purchase Loans)
Portland-Vancouver (OR/WA) MSA -- 2002

	Bank of America	Homestreet Bank	Umpqua Bank	Washington Mutual	Wells Fargo Bank	Wells Fargo Home Mtg
Less than 50% of Median Income						
Black	100.0%	NAT	0.0%	NAT	NAT	NAT
Hispanic	50.0%	0.0%	NAT	33.3%	NAT	87.5%
White	61.5%	81.8%	80.0%	56.6%	66.7%	77.3%
Joint	NAT	NAT	NAT	100.0%	NAT	100.0%
50 – 79% of Median Income						
Black	100.0%	66.7%	NAT	100.0%	NAT	100.0%
Hispanic	50.0%	60.0%	0.0%	85.7%	NAT	61.5%
White	73.9%	78.9%	77.8%	69.5%	82.8%	79.9%
Joint	50.0%	100.0%	NAT	50.0%	NAT	60.0%
80 – 99% of Median Income						
Black	NAT	50.0%	NAT	NAT	NAT	100.0%
Hispanic	33.3%	60.0%	100.0%	71.4%	NAT	66.7%
White	75.0%	86.2%	75.0%	76.4%	96.0%	82.2%
Joint	66.7%	100.0%	50.0%	72.7%	NAT	70.8%
100 – 120% of Median Income						
Black	NAT	NAT	NAT	50.0%	NAT	50.0%
Hispanic	60.0%	92.8%	NAT	100.0%	NAT	80.0%
White	79.3%	100.0%	83.8%	69.1%	81.1%	80.9%
Joint	100.0%	100.0%	NAT	83.3%	NAT	86.7%
More than 120% of Median Income						
Black	100.0%	100.0%	NAT	75.0%	66.7%	56.3%
Hispanic	75.0%	100.0%	NAT	57.1%	100.0%	64.7%
White	83.5%	82.4%	75.3%	75.9%	91.3%	83.5%
Joint	84.0%	94.1%	83.3%	83.3%	90.0%	78.9%

NAT = no applications taken

Table 33
Percentage of Applications Closed as Incomplete by Selected Financial Institutions
Portland-Vancouver (OR/WA) MSA -- 2002

	Bank of America	Homestreet Bank	Umpqua Bank	Washington Mutual	Wells Fargo Bank	Wells Fargo Home Mtg
Refinancing						
Black	1.9%	5.6%	0.0%	7.1%	0.0%	1.0%
Hispanic	0.0%	0.0%	0.0%	4.6%	0.0%	0.5%
White	0.4%	0.0%	0.0%	1.4%	0.1%	0.4%
Joint	0.4%	0.0%	0.0%	1.3%	1.5%	0.6%

NAT = No applications taken

Table 34
Percentage of Applications Denied because Credit Applications Incomplete
By Selected Financial Institutions
Portland-Vancouver (OR/WA) MSA -- 2002

	Bank of America	Homestreet Bank	Umpqua Bank	Washington Mutual	Wells Fargo Bank	Wells Fargo Home Mtg
Refinancing						
Black	0.0%	0.0%	--	0.0%	0.0%	4.5%
Hispanic	8.3%	0.0%	--	10.0%	0.0%	2.4%
White	4.6%	0.0%	--	1.2%	0.0%	2.4%
Joint	7.3%	NAT	--	2.9%	0.0%	3.6%

NAT = No applications taken

-- = Data not reported.

3. Housing and Transportation.

The lack of public transportation, as well as the lack of locally-available employment opportunities, combined to represent a substantive barrier to housing choice in some areas of Washington County. The lack of public transportation can occur because of a complete lack of facilities and services. It can, however, also occur because the public transportation does not serve the areas in which jobs are located for those persons or households that rely on transportation as their primary means of going to work.

There can be little question but that automobiles represent the primary source of transportation to work. Of the 219,268 workers age 16 and over in Washington County, 172,560 (78.7%) “drive alone” to work according to the 2000 Census. As the proportion of low-income population increases, however, the percentage of workers who “drive alone” to work decreases. In Census tracts with 10% or more of the population living with income at or below 100% of the Federal Poverty Level (n=17), the proportion of workers age 16 and over who drive alone to work decreases to 66.9% (31,837 of 47,596). In those Census tracts where 15% or more of the population live with income at or below 100% of the Federal Poverty Level (n=8), the proportion of workers age 16 and over who drive along to work decreases to 61.2% (10,959 of 31,837).

Table 35
Workers Who Drive Alone to Work by Poverty Status of Census Tract
(Washington County, OR)

	Total Workers (16+)	Drive Alone to Work	
		Number	Percent
All Census Tracts	219,268	172,560	78.7%
Tracts w/ Poverty >10%	47,596	17,912	66.9%
Tracts w/ Poverty >15%	31,837	10,959	61.2%

SOURCE: Table P30 and P88, 2000 Census.

As with many poverty-related issues, there are clearly racial/ethnic overtones to this data as well. Table 37 below shows that of the 81 Census tracts in Washington County, 17 have Poverty rates of 10% or higher. In 11 of those 17 Census tracts, Hispanic persons represent from 36% to 80% of the total number of persons living below the Federal Poverty Level. Of the 8 Census tracts where Poverty rates are 15% or higher,

Hispanic persons represent from 45% to 80% of the total population living below Poverty Level.

One reason for this lack of ability to transport oneself to work is the unavailability of vehicles. Table 38 shows that Census tracts where poverty rates are high involve Census tracts where rates of vehicle ownership are low. Of the eight Census tracts with Poverty rates of 15% or higher, for example, the percentage of vehicle ownership is quite low. While the low rates are irrespective of race or ethnicity, there are particularly low rates of vehicle ownership among Hispanic households.

Table 36
Households with Zero Vehicles in Census Tracts with 15% of Higher Poverty Rate
Washington County

Census Tract	Total Population		White (non-Hispanic)		Black		Hispanic	
	Total HHs	Pct Poverty	Total HHs	% w/ no vehicles	Total HHs	% w/ no vehicles	Total HHs	% w/ no vehicles
309	4,461	15%	1,330	10%	32	8%	309	8%
312	6,304	15%	2,173	17%	39	74%	401	21%
313	6,549	18%	1,952	13%	65	12%	418	27%
316.13	4,800	16%	1,350	8%	13	0%	313	29%
324.03	8,551	20%	1,289	8%	32	0%	924	15%
326.06	6,062	15%	1,791	6%	0	---	260	13%
329.02	6,995	16%	1,567	4%	7	0%	450	4%
332	5,193	27%	1,628	31%	0	---	356	10%

NOTES:

Percentage cannot be calculated for Census tracts with no households having this demographic characteristic.

SOURCE: Table 38.

Table 37
Transportation to Work by Poverty Status and Ethnicity

	Workers 16 and Older		Pct Using Means to Get to Work			Total Population		Population Below 100% by Race/Hispanic		
	Total #	Pct outside county	Drive Alone	Public Transportation	Number	Pct Below 100%	Total No.	Pct White	Pct Black	Pct Hispanic
Tract 301	2,351	5%	82%	8%	9,314	7%	679	73%	0%	8%
Tract 302	2,777	11%	76%	8%	5,696	6%	318	81%	3%	7%
Tract 303	604	12%	87%	4%	4,382	6%	243	97%	0%	0%
Tract 304.01	3,905	13%	78%	8%	4,119	9%	356	81%	0%	11%
Tract 304.02	1,177	15%	77%	7%	4,300	8%	364	85%	0%	9%
Tract 305.01	3,249	15%	83%	4%	4,792	6%	280	53%	6%	16%
Tract 305.02	2,877	15%	82%	7%	3,340	6%	207	80%	0%	0%
Tract 306	3,831	15%	84%	5%	5,137	8%	427	53%	4%	17%
Tract 307	3,040	16%	71%	8%	1,505	14%	205	60%	0%	68%
Tract 308.01	2,675	17%	76%	7%	5,631	5%	265	72%	0%	23%
Tract 308.03	1,981	17%	84%	4%	4,498	4%	168	92%	0%	0%
Tract 308.04	778	17%	83%	3%	5,862	6%	349	72%	7%	23%
Tract 309	3,457	18%	70%	10%	4,461	15%	675	65%	0%	47%
Tract 310.03	4,153	18%	81%	5%	7,644	5%	403	65%	0%	32%
Tract 310.04	1,374	18%	86%	5%	6,831	4%	282	89%	0%	0%
Tract 310.05	3,241	18%	64%	9%	5,292	9%	469	64%	1%	64%
Tract 310.06	3,116	20%	77%	8%	6,022	9%	543	77%	2%	6%
Tract 311	1,686	20%	63%	12%	2,506	8%	211	89%	3%	9%
Tract 312	3,232	20%	65%	13%	6,304	15%	922	51%	2%	53%
Tract 313	2,499	21%	61%	21%	6,549	18%	1191	55%	1%	45%
Tract 314.02	2,359	21%	60%	18%	2,626	9%	224	61%	0%	14%
Tract 314.03	1,188	21%	81%	5%	4,530	8%	365	50%	2%	10%
Tract 314.04	3,661	21%	73%	9%	5,275	7%	356	70%	0%	47%
Tract 315.04	3,464	23%	87%	5%	6,172	7%	459	88%	4%	18%
Tract 315.06	2,382	24%	76%	9%	3,880	4%	168	59%	0%	32%
Tract 315.07	1,905	24%	77%	8%	4,984	6%	323	72%	22%	14%
Tract 315.08	4,798	25%	85%	5%	5,735	3%	184	74%	0%	19%
Tract 315.09	4,367	26%	79%	7%	2,036	3%	53	81%	0%	17%
Tract 315.10	3,042	26%	87%	3%	11,718	3%	324	49%	2%	11%
Tract 315.11	2,273	26%	84%	4%	3,289	5%	150	75%	0%	17%
Tract 315.12	2,665	27%	79%	7%	5,154	3%	172	40%	0%	19%
Tract 316.05	3,518	28%	80%	6%	9,248	5%	438	74%	0%	49%
Tract 316.06	2,356	28%	71%	9%	5,150	12%	598	78%	5%	5%
Tract 316.08	2,587	28%	78%	9%	6,768	8%	512	66%	10%	6%
Tract 316.09	3,583	28%	72%	12%	5,583	9%	526	60%	4%	18%
Tract 316.10	3,324	29%	82%	7%	6,539	10%	679	72%	3%	19%
Tract 316.11	5,507	30%	73%	8%	6,317	4%	268	48%	6%	17%
Tract 316.12	1,926	30%	78%	9%	1,643	9%	156	46%	0%	0%
Tract 316.13	2,969	31%	69%	12%	4,800	16%	751	70%	2%	54%
Tract 317.03	1,096	31%	85%	4%	4,579	6%	270	76%	2%	21%
Tract 317.04	4,027	31%	81%	4%	6,724	8%	526	89%	0%	3%
Tract 317.05	1,634	32%	70%	12%	3,832	13%	498	54%	0%	10%
Tract 317.06	1,679	33%	71%	10%	4,475	13%	585	44%	0%	22%
Tract 318.04	3,281	33%	82%	4%	4,521	5%	224	71%	0%	46%
Tract 318.05	2,806	33%	85%	3%	5,931	2%	124	91%	0%	0%
Tract 318.06	2,225	34%	84%	4%	5,198	4%	230	60%	0%	37%
Tract 318.07	4,366	34%	85%	7%	3,513	6%	194	92%	0%	0%
Tract 318.08	1,412	34%	85%	2%	8,351	2%	165	78%	0%	0%
Tract 318.09	2,750	34%	86%	6%	7,860	5%	429	62%	0%	0%
Tract 319.03	3,734	35%	83%	4%	9,037	5%	442	73%	1%	37%
Tract 319.04	5,413	36%	86%	3%	2,758	3%	93	82%	12%	0%
Tract 319.05	3,709	36%	84%	4%	10,127	5%	520	69%	6%	10%
Tract 319.06	5,090	36%	85%	3%	9,003	3%	236	74%	0%	23%

Tract 320.01	2,628	37%	85%	3%	4,970	4%	217	85%	5%	0%
Tract 320.02	3,591	37%	72%	7%	9,200	10%	942	85%	0%	36%
Tract 321.03	2,711	37%	84%	5%	6,373	3%	212	71%	0%	22%
Tract 321.04	2,905	37%	90%	3%	4,385	2%	100	88%	0%	0%
Tract 321.05	2,427	37%	87%	3%	6,409	3%	177	80%	0%	5%
Tract 321.06	2,635	38%	91%	4%	2,033	8%	165	85%	0%	5%
Tract 322	3,969	38%	88%	2%	5,123	2%	97	77%	7%	15%
Tract 323	885	38%	70%	2%	2,732	6%	163	56%	0%	34%
Tract 324.03	1,974	38%	54%	11%	8,551	20%	1749	46%	1%	80%
Tract 324.04	1,502	39%	81%	6%	6,482	6%	397	29%	2%	67%
Tract 324.05	3,443	39%	83%	6%	6,554	4%	240	88%	0%	3%
Tract 324.06	2,430	39%	84%	5%	7,017	8%	537	65%	0%	12%
Tract 325	5,096	41%	74%	4%	6,424	9%	578	60%	0%	58%
Tract 326.03	2,620	42%	86%	2%	6,368	4%	251	53%	0%	18%
Tract 326.04	2,249	42%	71%	7%	5,154	11%	559	64%	0%	47%
Tract 326.05	3,108	43%	78%	7%	6,971	3%	222	47%	0%	12%
Tract 326.06	2,347	44%	73%	6%	6,062	15%	895	66%	0%	58%
Tract 327	2,594	44%	87%	1%	4,518	5%	219	97%	0%	6%
Tract 328	3,525	45%	84%	0%	1,356	9%	121	54%	0%	52%
Tract 329.01	2,826	46%	74%	7%	3,839	13%	510	58%	0%	62%
Tract 329.02	2,963	46%	70%	6%	6,995	16%	1103	32%	0%	67%
Tract 330	998	47%	82%	1%	5,502	7%	397	71%	1%	28%
Tract 331	3,065	48%	73%	4%	5,941	12%	707	79%	0%	18%
Tract 332	2,232	49%	57%	8%	5,193	27%	1388	55%	0%	49%
Tract 333	2,518	52%	84%	2%	7,803	5%	388	77%	0%	10%
Tract 334	2,046	52%	84%	0%	2,233	6%	133	100%	0%	5%
Tract 335	5,289	54%	81%	1%	3,299	7%	233	100%	0%	3%
Tract 336	1,957	59%	80%	1%	2,303	3%	76	100%	0%	0%

Table 38
Availability of Vehicles in Household by Race and Hispanic Status

	Tot Pop		White		Black		Hispanic		White (no Hispanic)	
	Number	Pct < 100% Pov	Total HH	0 Vehicles	Total HH	0 Vehicles	Total HH	0 Vehicles	Total HH	0 Vehicles
Census Tract 301	9,314	7%	3809	6%	61	18%	145	12%	3742	6%
Census Tract 302	5,696	6%	2303	4%	9	0%	68	12%	2281	4%
Census Tract 303	4,382	6%	1775	5%	12	0%	23	0%	1752	5%
Census Tract 304.01	4,119	9%	1648	8%	39	0%	82	0%	1631	8%
Census Tract 304.02	4,300	8%	1971	5%	0	/a/	91	12%	1931	5%
Census Tract 305.01	4,792	6%	1926	6%	32	0%	65	0%	1907	6%
Census Tract 305.02	3,340	6%	1365	3%	0	/a/	47	0%	1324	3%
Census Tract 306	5,137	8%	1965	8%	25	0%	74	15%	1931	9%
Census Tract 307	1,505	14%	579	4%	8	0%	63	0%	556	4%
Census Tract 308.01	5,631	5%	2058	3%	16	0%	137	11%	1995	3%
Census Tract 308.03	4,498	4%	2228	7%	13	0%	27	0%	2228	7%
Census Tract 308.04	5,862	6%	2172	6%	40	30%	124	9%	2130	6%
Census Tract 309	4,461	15%	1481	10%	32	25%	309	8%	1330	10%
Census Tract 310.03	7,644	5%	2600	3%	65	0%	129	11%	2550	3%
Census Tract 310.04	6,831	4%	2344	2%	29	0%	77	0%	2287	2%
Census Tract 310.05	5,292	9%	1734	6%	0	/a/	308	19%	1597	5%
Census Tract 310.06	6,022	9%	2274	8%	57	0%	147	7%	2206	8%
Census Tract 311	2,506	8%	922	12%	10	0%	106	19%	879	11%
Census Tract 312	6,304	15%	2331	17%	39	74%	401	21%	2173	16%
Census Tract 313	6,549	18%	2063	13%	65	12%	418	27%	1952	13%
Census Tract 314.02	2,626	9%	1015	7%	11	0%	99	16%	961	7%
Census Tract 314.03	4,530	8%	1687	3%	33	0%	108	3%	1623	3%
Census Tract 314.04	5,275	7%	1889	5%	10	0%	174	22%	1825	4%
Census Tract 315.04	6,172	7%	2228	4%	25	0%	52	15%	2201	4%
Census Tract 315.06	3,880	4%	1331	4%	39	0%	73	30%	1315	4%
Census Tract 315.07	4,984	6%	1770	6%	20	50%	102	17%	1722	6%
Census Tract 315.08	5,735	3%	1816	2%	8	100%	23	0%	1802	2%
Census Tract 315.09	2,036	3%	678	1%	7	0%	17	0%	670	1%
Census Tract 315.10	11,718	3%	3265	2%	74	0%	101	10%	3206	2%
Census Tract 315.11	3,289	5%	934	5%	9	0%	16	0%	926	5%
Census Tract 315.12	5,154	3%	1446	2%	7	0%	84	0%	1411	2%
Census Tract 316.05	9,248	5%	2389	4%	65	0%	279	4%	2293	4%
Census Tract 316.06	5,150	12%	1537	5%	45	0%	139	0%	1465	6%
Census Tract 316.08	6,768	8%	2509	8%	64	0%	205	12%	2423	8%
Census Tract 316.09	5,583	9%	1955	4%	52	0%	141	15%	1912	4%
Census Tract 316.10	6,539	10%	2269	4%	34	21%	109	0%	2228	4%
Census Tract 316.11	6,317	4%	1692	2%	43	0%	81	0%	1661	2%
Census Tract 316.12	1,643	9%	474	0%	13	0%	28	0%	465	0%
Census Tract 316.13	4,800	16%	1488	10%	13	0%	313	29%	1350	8%
Census Tract 317.03	4,579	6%	1367	3%	20	0%	102	9%	1323	2%
Census Tract 317.04	6,724	8%	2045	2%	24	0%	140	0%	1984	2%
Census Tract 317.05	3,832	13%	1276	9%	6	0%	119	6%	1218	9%
Census Tract 317.06	4,475	13%	1307	7%	23	48%	188	0%	1256	7%

Census Tract 318.04	4,521	5%	1334	3%	23	0%	60	0%	1315	3%
Census Tract 318.05	5,931	2%	1739	2%	19	0%	50	0%	1725	2%
Census Tract 318.06	5,198	4%	1578	1%	25	0%	84	0%	1566	1%
Census Tract 318.07	3,513	6%	1342	7%	14	0%	59	0%	1306	7%
Census Tract 318.08	8,351	2%	2366	5%	59	24%	45	0%	2338	5%
Census Tract 318.09	7,860	5%	2685	2%	60	12%	123	7%	2643	2%
Census Tract 319.03	9,037	5%	3005	3%	24	0%	134	0%	2930	3%
Census Tract 319.04	2,758	3%	899	3%	18	28%	9	0%	895	3%
Census Tract 319.05	10,127	5%	2989	2%	71	0%	115	3%	2927	2%
Census Tract 319.06	9,003	3%	3918	7%	16	0%	64	20%	3897	7%
Census Tract 320.01	4,970	4%	1802	4%	23	0%	33	0%	1796	4%
Census Tract 320.02	9,200	10%	3229	5%	31	29%	551	5%	2980	6%
Census Tract 321.03	6,373	3%	2283	4%	9	0%	128	13%	2238	4%
Census Tract 321.04	4,385	2%	1402	3%	0	/a/	20	0%	1397	3%
Census Tract 321.05	6,409	3%	2064	1%	0	/a/	47	0%	2037	1%
Census Tract 321.06	2,033	8%	651	1%	0	/a/	6	0%	645	1%
Census Tract 322	5,123	2%	1711	2%	11	0%	30	0%	1706	2%
Census Tract 323	2,732	6%	847	1%	0	/a/	38	16%	844	1%
Census Tract 324.03	8,551	20%	1605	11%	32	0%	924	15%	1289	8%
Census Tract 324.04	6,482	6%	2012	1%	0	/a/	146	0%	1951	1%
Census Tract 324.05	6,554	4%	1845	3%	32	0%	95	7%	1811	3%
Census Tract 324.06	7,017	8%	2230	9%	10	0%	136	4%	2150	9%
Census Tract 325	6,424	9%	1941	5%	9	0%	347	14%	1809	5%
Census Tract 326.03	6,368	4%	1907	1%	7	0%	70	0%	1907	1%
Census Tract 326.04	5,154	11%	1624	8%	0	/a/	274	4%	1510	8%
Census Tract 326.05	6,971	3%	2417	1%	56	18%	135	0%	2358	1%
Census Tract 326.06	6,062	15%	1887	7%	0	/a/	260	13%	1791	6%
Census Tract 327	4,518	5%	1512	4%	0	/a/	55	5%	1488	3%
Census Tract 328	1,356	9%	443	0%	0	/a/	16	0%	437	0%
Census Tract 329.01	3,839	13%	1092	9%	0	/a/	226	18%	1053	8%
Census Tract 329.02	6,995	16%	1688	3%	7	0%	450	4%	1567	4%
Census Tract 330	5,502	7%	1775	2%	5	0%	109	0%	1725	2%
Census Tract 331	5,941	12%	1983	12%	0	/a/	178	4%	1953	12%
Census Tract 332	5,193	27%	1722	30%	0	/a/	356	10%	1628	31%
Census Tract 333	7,803	5%	2549	3%	6	100%	129	0%	2494	3%
Census Tract 334	2,233	6%	737	1%	0	/a/	11	0%	731	1%
Census Tract 335	3,299	7%	1076	1%	6	0%	14	0%	1070	1%
Census Tract 336	2,303	3%	788	0%	0	/a/	16	0%	781	0%

NOTES:

/a/ Denominator is 0 and thus percentage cannot be calculated.

D. Crime Data

Crime interacts with fair housing in a number of important ways. From the point of view of low income residents, limiting affordable and available housing to areas with high crime rates forces protected class members to be victims in order not to be homeless. It also increases the likelihood of the failure of families, heightens the risks of the criminalization of children, reduces school performance, and the ability to use public facilities like bus stops with safety, thereby increasing costs and reducing the ability of low income households to improve themselves.

Crimes against family members are also a major problem with very serious consequences and ramifications. Not only is the result often physical damage to the injured family member, but crime of this sort often results in the breakup of the family unit as some or all of the family are evicted. This destabilization often results in the economic collapse of the family as well. To the extent that the violence results in restraining orders, what once was one low income household with the need for one residence now becomes two households with the need for two residences. Families which were having difficulty paying for one residence, now have to find the resources to pay for two, not to mention the transactions costs. Moreover, screening services will often screen out families with records of intra-familial violence, making things more difficult and frustrating for family members and further increasing the likelihood of failure.

For landlords crime is also a major problem. Landlords have an obligation to provide safe facilities for their tenants and they have an economic interest in preserving their facilities from damage as a result of crime. In addition, onsite crime by residents will often involve landlords in police, enforcement, and eviction matters that increase costs and risks, decrease profit margins, and make the provision of such housing less attractive.

Societally, crime often has the ramification of producing populations that are dysfunctional and without resources and which need to be housed somewhere. "End of the Road" housing in cities is often where the crime is high, the housing is bad, and the population for a host of reasons is poor and not able to cope. Municipal authorities are often unwilling to insist on building codes and related performance standards for fear of having to close down the only housing available for this population.

The Oregon State Police collect crime data from the various jurisdictions statewide and compile it into an annual report. Due to OSP budget cuts over the last few years the most recent report available is for 2001. The data are reproduced here for Washington County as a whole and a number of cities.

Table 39
STATISTICS FOR WASHINGTON COUNTY AND CITIES
2001 (Rates Per 1000 of Population)

Crime	Beaverton	Cornelius	Forest Grove	Hillsboro	Tigard	Sheriff	Total
Willful Murder	0.03	0.00	0.00	0.00	0.00	0.02	0.02
Forcible Rape	0.32	0.41	0.38	0.48	0.23	0.24	0.30
Other Sex Crimes	1.37	1.44	2.34	2.38	1.46	1.57	1.58
Kidnapping	0.06	0.00	0.11	0.23	0.16	0.20	0.16
Robbery	0.66	0.51	0.05	0.77	0.79	0.27	0.49
Aggr Assault	1.43	2.47	1.14	1.07	1.39	0.46	0.89
Simple Assault	4.37	9.06	5.28	6.35	4.34	3.23	4.22
Burglary	5.73	5.15	4.95	6.09	8.22	4.46	5.32
Larceny	37.51	29.76	35.26	31.75	48.98	20.72	29.54
Auto Theft	4.59	3.19	3.92	4.88	4.02	2.76	3.62
Arson	0.44	0.51	0.27	0.75	0.26	0.15	0.34
Forgery	4.57	2.88	3.81	6.33	6.23	2.21	3.73
Fraud	4.16	2.68	3.05	3.24	4.16	3.49	3.47
Stolen Property	0.13	0.21	0.00	0.25	0.28	0.02	0.13
Vandalism	9.24	18.43	15.56	9.29	13.73	7.55	9.31
Crimes c/Family	0.41	0.62	0.11	0.72	0.49	0.45	0.50
Drug Offenses	4.94	4.02	3.97	4.54	2.25	1.45	2.90
Total	79.97	81.36	80.20	79.10	97.00	49.26	66.51

E. The Two-Way Interconnection Between Housing Loss and Other Locally Addressable Problems

Many of the problems facing protected class households in Washington County in finding adequate and affordable housing are interrelated with other problems. A disproportionate share of poor families have no health insurance. When medical problems arise they may have a substantial impact on family finances. And even when paying for housing comes first, the inability to pay large medical bills may mean credit reporting problems that will impair the ability of these families to find housing in the future. This is especially so since low income families tend to move much more often than wealthier families.

The concern about health is not limited to normal health problems and costs. The inadequate supply of housing for low-income families and the increasing spatial segregation of our households by income, race, ethnicity, or social class into physically unsafe neighborhoods and environments with high levels of daily violence are among the most prevalent community health concerns related to the provision of family housing.³⁴

Food is another factor of central concern. The Oregon Food Bank's 2002 Hunger Factors Assessment Study shows that:

- 47 percent of respondent households spent more than 50 percent of their income on housing;
- 22 percent spent over 75 percent on housing;
- 26 percent had to move in the past two years to find affordable housing.

The Oregon Food Bank reports that in FY2003 it provided 3.4 million pounds of food to families in Washington County and that **26,000 households in Washington County received an emergency food box in FY2003**. 40 to 50 percent of the households seeking assistance during the same period were Hispanic.

To the extent that a family is hungry and is worried about untreated medical problems the environment in that family may be tense, irritable, and subject to domestic violence or child abuse. Family split-ups arising out of these issues multiply the demand for affordable housing at the same time they reduce the income of the now separate

³⁴ Anderson et al., "Providing Affordable Family Housing and Reducing Residential Segregation by Income," Am. J. Prev Med 2003:24 (3S).

halves of the previously united family. This is counter-productive for both the families involved and for society at large.

To the extent that low income housing is concentrated in areas of poorly performing schools, high incidence of drug use, and high crime, the success rate of low income families and their children is going to be low.³⁵ Low income housing needs to be developed in neighborhoods with the resources for and the characteristics of greater family success.

Nationally, HUD has recognized these connections and has developed goals and objectives for housing programs that reduce residential segregation by income, race, or ethnicity. The County's Affordable Housing Program should have the same goals and objectives.

Transportation and job location are also important factors. Low income families are much less likely to own reliable automobiles when compared to middle class families. For this reason the economic viability of many of these families depends upon either having jobs in close proximity to affordable housing or having access to reliable public transportation. Local economic development planning can thus have a dramatic impact on the economics of low income families if attention is paid to encouraging job creation where those jobs will be accessible.

Energy costs are another significant component of housing related costs. Low income housing tends to be disproportionately lower quality housing which is typically more expensive to live in in terms of energy costs. To the extent that local government acts to improve energy efficiency in low income housing, the real income of these families' increases and the need for housing and other subsidies is diminished.

The last of this series of non-housing but housing-symbiotic is the need for an information system that allows low income families to connect efficiently with the resources necessary to manage their problems. There are a number of organizations that provide resources and referrals in this area. However, given the high demand the resources of the entities are often insufficient and there is a merry-go-round aspect of being referred from one entity to the next, told to call again later, etc. All this needs to be made more efficient, less aggravating, and less consumptive of the time and resources of

³⁵ This is not to say that the problem of student performance in elementary schools in low income areas is due to bad teachers or bad principals. Meeting the educational goals is more difficult in low income, high crime areas than in areas without those problems and teachers with the same per student resources are not generally going to have the same success rates as they would in a high income neighborhood.

all concerned.³⁶

A start has been made on this problem in Washington County. The County, through Community Action, is a part of a regional cooperative with Clackamas, Clark and Multnomah counties in an effort to implement a 2-1-1 information and referral system for the Metro area. This will be a centralized call center for the four-county area with agencies from each county supporting its function. Community Action will be responsible for:

1. Marketing information about 2-1-1 services to the community;
2. Developing, printing and distributing printed Washington County resource directories;
3. Conducting outreach to community service providers to ensure that they are included in the database of resources; and,
4. Updating data on Washington County resources to ensure information given to callers is accurate.

If done well this could be a great improvement over the somewhat chaotic system in effect now.

In light of these dynamics, public funds for affordable housing should be used in ways that solve the housing problems of low income protected class families in the most cost effective way and in light of the need to allow families to move themselves and their children out of the cycle of poverty. This makes sense both for the families involved and for the larger society which will benefit from reduced costs for programs in the future as well as from the higher levels of productivity of these families in the future.

III. EVALUATION OF WASHINGTON COUNTY'S FAIR HOUSING COMPLAINT PROFILE 1997-2003

Complaints related to fair housing issues arising in Washington County are processed either through HUD or the Fair Housing Council of Oregon working on

³⁶ One aspect of this problem is the often repeated scenario of low income families having to pay repeated application fees as they go from place to place searching for housing.

contract with the county.

Virtually all the calls received by the Fair Housing Council of Oregon are from renters and the majority are from low-income renters. While part of the low-income concentration is probably due to the emphasis of the organization, low-income families are more vulnerable to discrimination, and the market for housing is tighter for low-income households, which means that discrimination has a greater adverse impact for the typical low-income household than it would for a middle class household with a greater range of choices.

The number of calls represents those who are motivated to seek redress for housing discrimination, but do not necessarily represent an accurate reflection of the scope or magnitude of the problem. Many discrimination victims choose not to register a complaint for a variety of reasons. Many are unaware of their fair housing rights; they may be in a hurry to find rental housing and not want to take the time to deal with filing a complaint; they may feel uncomfortable going to a government office because of their legal status or language or cultural barriers.

Table 40 BASES FOR HUD-INVESTIGATED COMPLAINTS						
Category	Fy1997	Fy1998	Fy 1999	Fy 2000	Fy2001	Fy2002
Race/Color	1		2		2	1
Sex			1			1
National Origin			1			
Disability		2	1	4	4	1
Familial Status	2	2	3	2	2	
Religion						

SOURCE: Fair Housing Council of Oregon (May 2004).

It should be noted that the filing of a complaint does not necessarily mean that housing discrimination has taken place. Any person who believes their rights have been violated may file a complaint with HUD. HUD will investigate the complaint and try to reach a conciliation agreement between the parties involved. If, after investigating the

complaint, HUD finds reasonable cause to believe that discrimination occurred, the case may be heard in either an administrative hearing or in federal district court.

In the period 1997 to 2003, the Fair Housing Council of Oregon (FHCO) completed 243 intakes for individuals living in Washington County who complained of some form of housing discrimination. The largest number of complaints (93) asserted discrimination on the basis of disability; 64 cases involved complaints of discrimination on the basis of familial status; and 49 based on national origin.

Statewide, the FHCO reports that an overwhelming number of cases pertain to denial of rentals, evictions, or disparate treatment, and that the overwhelming majority of complainants are of low or moderate income.³⁷

The Fair Housing Council maintains a database of complaints by county. For the years 1997 through 2003 Table 41 presents complaints that have been received from Washington County.

Table 41 COMPLAINANTS ARISING IN WASHINGTON COUNTY Calendar 1997 through 2003	
Basis of Allegation	Intake
Race	35
Color	4
National Origin	49
Religion	1
Sex	8
Familial Status	64
Disability	93
Marital Status	3
Age	0

³⁷ Interview with the Fair Housing Council of Oregon.

Income Source	2
Sexual Orientation	1
TOTAL	243

SOURCE: Fair Housing Council of Oregon, May 2004.

NOTE 1: Individual bases may not sum to the Total since many complaints have multiple bases.

IV. IMPEDIMENTS TO FAIR HOUSING CHOICE

A. Introduction

All local jurisdictions benefiting from the receipt of federal housing-related funding have committed themselves to **affirmatively further fair housing**.³⁸ Having agreed to take on this responsibility, local jurisdictions need to be active in dealing with outstanding fair housing problems in their jurisdictions.

These problems have been made worse by the continuing economic recession in Washington County and the broader employment area. Demand for affordable housing is increasing as the recession depletes local resources, with low and moderate income families being especially hard hit. This grim picture has been made even worse by the decision on the part of the federal government to substantially reduce the availability of Section 8 dollars for funding entities in the current fiscal year,³⁹ while proposing to make \$1+ billion in cuts to Section 8 in 2005. The recession and these large federal program cuts circumstances will leave the poor and disabled much more vulnerable to victimization in anything to do with housing.

³⁸ HUD's Consolidated Plan regulation (24 CFR 91.520(a)) requires each state and local government to submit a certification that it is affirmatively furthering fair housing. See also the Fair Housing Act, §104(b)(2), §106(d)(5) of the Housing and Community Development Act of 1974, 24 CFR 570.601, 24 CFR 570.904(c), the National Affordable Housing Act of 1990, section 105(b)(13) and HUD CBDG regulations at 24 CFR 570.487(b).

³⁹ Chronicle, "NOHA cuts could leave 47 homeless," (front page) May 15, 2004.

The apparent magnitude of this task is offset by the reality that fair housing is certainly in the best interest of the jurisdictions involved. It costs less to help with fair housing and affordable housing than it does to deal with the ramifications of a substantial population of families that cannot find adequate housing. The stability of families leads to the creation of productive workers and a decrease over time in social welfare costs, medical costs, and all the costs associated with the justice system as a housing provider of last resort. Families that cannot find adequate housing at reasonable prices cannot afford medication and food. 22% of the Washington County jail population would not be there if they had adequate medical care and could afford their medication.⁴⁰ It is always going to be less expensive to provide adequate housing in the community than to pay for housing in hospitals and prisons.

What follows is a list of eighteen impediments which constitute barriers to the achievement of fair housing in Washington County. Some are well documented problem areas, some are problem areas that need further research to determine the best way to solve the problem.

B. Impediments to Fair Housing

1. Publicly Supported Low-Income Housing Sited in Areas of Failing Schools

Part of the cycle of poverty is the placement of low income protected class members in areas where the schools are underperforming. This results in low performance from minority and other protected class children which then locks them into a life of limited opportunity and poverty. Breaking this cycle means the geographic deconcentration of low income families. Children of these families will perform better, and have a better chance for the future when they attend schools which are not disproportionately poor and minority.

One way this can be accomplished is through the deconcentration of publicly supported housing. As it stands, the data shows that children living in too many publicly supported housing units are relegated to schools with substandard performance.⁴¹

⁴⁰ Interview with Washington County Department of Community Corrections.

⁴¹ The data is presented in Appendices IV and V.

2. Lead-Based Paint in Housing Occupied By Protected Class Children

Exposure to lead based paint can have serious impacts on the mental and physical welfare of children. Lead-based paint poisoning is correlated with the age of the housing involved.⁴² Housing built post-1980 is less likely to be a problem compared to housing built prior to that time. Local governments could eliminate this threat by instituting a rolling one time lead based paint inspection program for older, renter occupied housing, such that over time the entire stock of pre-1978 rental housing could be inspected and problems corrected.

3. Loss of Housing Due to Loss of Health Benefits and Medication

With the collapse of the Oregon Health Plan, many low income people and families were left without basic health insurance. Moreover, one impact of the long term economic recession is to increase unemployment and otherwise shift employment from jobs providing health insurance to jobs which don't. In addition, many of the psychiatric care facilities in the Metro area have closed, apparently due to the unwillingness of insurers to provide adequate insurance coverage for this type of care.⁴³

The result of this is to force many families and single individuals to seek health care only when it is absolutely necessary and in increasing numbers at emergency wards at local hospitals. There are two major ramifications of this. The first is the tendency and economic imperative of the patients involved to minimize the purchase of health care for as long as possible for medical problems which in many cases will become more serious, and so either more difficult or more expensive to treat due to the delay.

The second ramification is that since emergency room care is much more expensive than normal care at insurance paid clinics and doctors' offices, equivalent care runs up bills that are much larger than would otherwise be the case. The result is that the individuals and families receiving the care are then faced with large bills which they cannot pay or, alternatively, they pay the medical bills while not paying other bills. In either event, their credit report suffers and when they next seek housing—and we know the poor tend to move more often than middle class families, they are screened out by the landlords' screening system. The result is that they find they have lost ground and may

⁴² See Tables 16 and 17 above and the associated text for the data and explanation.

⁴³ Interview with the Regional Social Work Manager, Providence - St. Vincent Hospital.

find it difficult to contract for decent, reasonably priced housing without going through multiple application fees.

The lack of adequate health care for low income individuals and families is compounded by the sharp reduction in the availability of coverage for medication in the Oregon Health Plan for low income individuals. This has manifested itself in sharp increases in abnormal behavior and other problems. The result is that those involved are increasingly unable to pay for medication as well as food, utilities and shelter. This puts pressure on their ability to maintain themselves in decent housing. At the same time this lack of medication makes it more likely that they will have problems that will cause them to behave in ways inconsistent with maintenance of their housing, and also in ways that get themselves into trouble with the justice system.⁴⁴

The overall result is that individuals and families in this situation are much more likely to lose their housing and become either burdens on the very expensive emergency room system or prison systems. In either case it makes both financial and “fair housing” sense for local governments to take measures to stabilize these individuals and families.⁴⁵

4. Failure to Provide Fair Share Housing to Households at 50% MFI and Lower

Housing at 50% of MFI and less is expensive to provide in general and more expensive to provide as the MFI level shifts down toward the 30% range. Not surprisingly there is a great deficit in housing available for those individuals and families with incomes in this range. Some of the cities appear to take the view that they are not in the housing business and so if the market—including governmentally subsidized or assisted housing providers—is unwilling to provide such housing where it is needed, it is not their responsibility to take an active hand in the matter. Yet the Fair Housing Act and related legislation are to the contrary, and Washington County jurisdictions have an obligation to “affirmatively further fair housing” in this income range even if the market on its own does not.⁴⁶

⁴⁴ Interviews with Community Corrections, Health and Human Services, Providence-St. Vincent and others.

⁴⁵ A beginning in this area has been the County’s willingness to support the free medical clinic on a weekday evening offered in the Public Service Building in Hillsboro, as well as providing CDBG support for the Virginia Garcia Clinic in Hillsboro. Interviews with Office of Community Development staff.

⁴⁶ See the discussion in Appendix I of the relevant legislation and rules.

The lack of adequate housing opportunities for people of low income is, in part, a result of a failure to coordinate and plan for greater locational choice across the county. Government fragmentation on this issue results in greater division along socioeconomic lines

The question then arises as to how to determine how much housing in this range needs to be provided in each jurisdiction. The estimation of the shortage needs to be direct and analytical; and it needs to overcome the illusion that a jurisdiction's failure to provide an environment for affordable housing will result in a decrease in the magnitude of the demand for affordable housing in that jurisdiction.

As noted in the discussion in Appendix I, Metro has confronted this issue by adopting its Regional Affordable Housing Strategy (RAHS) and setting goals for each jurisdiction for the provision of housing in the 30% to 50% MFI range and the less than 30% range as presented in the following table.

Table 42 WASHINGTON COUNTY JURISDICTIONS Five Year Voluntary Affordable Housing Production Goals			
Jurisdiction	Housing for <30%	Housing for 30-50%	Total
Beaverton	427	229	656
Cornelius	40	10	50
Forest Grove	55	10	65
Hillsboro	302	211	513
Tigard	216	103	319
Urban Unincorporated	1,312	940	2,252
Total	2,352	1,503	3,855

Source: Metro, *Regional Affordable Housing Strategy*, Table 15 abridged.

Note: The figures presented are for new units to be provided and not “net new units,” i.e. the overall increase will be somewhat less due to the loss of existing units over time.

There is some disagreement among city planners, county staff, and Metro as to whether the Metro numbers are appropriate and indeed measure the share that each jurisdiction should be responsible for bringing forth. The general consensus seems to be, however, that whatever the exact number is, there is a substantial underprovision of housing in both the 30% to 50% and under-30% ranges. The consensus also seems to be that housing, especially in the under 30% range, will not be forthcoming in amounts anywhere close to enough to meet the need unless the approach changes and the County and the cities devise programs to more actively encourage the provision of housing in these ranges.

5. Membership on Appointive Boards and Commissions Is Not Inclusive

The County and the cities each have a number of boards and commissions whose membership is appointed by the political leadership of the jurisdiction and whose function relates to land use and housing either directly or indirectly. We have reviewed the membership on these boards and commissions and have found that there appears to have been only very minimal attention, if any, to ensuring that the membership on these boards reflects the protected class composition of the jurisdictions they serve.

This is unfortunate for at least two reasons. First since these boards and commissions have an impact on important public decisions which may have differential effects on minority populations, actively or passively denying membership on these boards denies these groups a voice in the decision making on housing related issues.

Second, participation on public boards and commissions provides a training ground in public policymaking for future leaders and professionals. To cut off this access to education, advancement in technical expertise and decision making skills, and to an opportunity to meet other members of the decision making elite of the jurisdiction, impairs the process of integrating these minorities into the mainstream of the community.⁴⁷

⁴⁷ HUD, *Fair Housing Planning Guide*, nd, p.4-6. AI subject areas include, “Policies and practices affecting the representation of all racial, ethnic, religious, and disabled segments of the community on planning and zoning boards and commissions.”

6. Higher Income Residents Disproportionately Occupy Affordable Housing

Several participants in the interview process commented that landlords with rents in the affordable range have a tendency and incentive to choose tenants with the best financial and background profiles. The factors involved include income level, time on the job, housing history, criminal record, source of funds, number of children and ages, and similar factors. The landlord then chooses the applicant with the best looking profile relative to the landlord's perceived interests. This will often result in affordable housing being let to tenants who could easily afford higher priced housing, with the concomitant loss of affordable housing to lower income tenants who have few if any options.⁴⁸

Though the problem appears to be significant in the market-based or unassisted housing stock, it also appears to a much lesser degree in assisted housing with rent limitations. In this latter case there is a tendency to rent the units to families in the upper end of the income limitation range. There are a number of reasons for this. Most prominent of these is that the poorer the tenant, the greater the necessary rent subsidy and the fewer the units that can be provided given the limited amount of government assistance money available for this type of housing.⁴⁹

Yet while this may be true, it is inconsistent with the obligation not to differentially disadvantage any particular low income population, especially since the less than 30% MFI group has a disproportional representation of disabled in the group. Affirmatively furthering fair housing means that strong efforts have to be made to provide reasonable housing opportunities for this group as well.

7. Affordable Housing is Disproportionately Located in High Crime Areas

Though more work has to be done collecting crime data by neighborhood and correlating that data with the location of affordable and assisted housing by jurisdiction,

⁴⁸ In this connection it's important to distinguish between "available" affordable housing in the physical sense that the house or apartment exists and rents in the affordable range, and "available" in the sense that an affordable house or apartment is indeed in the housing stock available to low and moderate income families and individuals. See the discussion in Section II.C. above.

⁴⁹ Interviews with various developers of low income housing.

at least as a preliminary matter it appears to be the case that low-income and minority housing tends to be disproportionately located in higher crime areas.⁵⁰

The issue here is similar to the issue of schools in high poverty, high minority areas. The concentration of these two factors tends to lead to poor performance and housing, family and neighborhood problems. Poverty and protected populations need to be deconcentrated to maximize their chance to succeed.

8. Problems in the Maintenance of Housing of Last Resort

In many cities around the country there are areas or neighborhoods of “housing of last resort.” These are often places where very poor populations with medical and mental problems, bad credit history, problematic personal history, and/or lack of documentation tend to wind up when all other options fail. Residents of these areas tend to be disproportionately disabled.⁵¹

Housing in these areas tends to be of poor quality, or in the case of undocumented residents living in garages or out buildings, not officially “housing” at all. Landlords often have an implicit agreement with their tenants that the landlords will agree to rent to renters who would otherwise be unable to find housing elsewhere, if the tenants will “agree” that there will be no complaints about the quality of the housing or related matters.

Local government housing inspection processes are often complaint driven. This tends to allow substandard housing in these areas to continue unabated. Local officials often recognize that if standards are enforced, and expensive improvements required, affordable housing for this population will either be closed down or made too expensive for the current residents to continue.

The fair housing imperative in these cases is to find a way to provide decent, safe and sanitary housing for this population while at the same time eliminating the substandard and unhealthful conditions currently existing.⁵²

⁵⁰ A study needs to be done to break down crime data from local jurisdictions into neighborhoods, ideally elementary school areas, and then plot that data against the location of affordable housing resources and school performance.

⁵¹ Interviews with staffers at the Fair Housing Council of Oregon.

⁵² Interviews with staff at the Bazelon Institute, the Fair Housing Council of Oregon,

There are apparently pockets of this kind of housing in various locations in Washington County. This housing needs to be identified and a strategy devised to deal with the substandard conditions in such a way that the housing for the residents in these areas is not lost.

9. The Conversion Threat to the Mobile Home Parks of Washington County

Washington County is home to 62 mobile home parks with approximately 6,000 homeowner households. Most of these parks do not have protective zoning. A large number of the parks are occupied by manufactured housing which, if the park were to close, would be lost either because the units are not movable or because there is nowhere to go. Most of the housing in these parks is owned by the residents with the spaces rented from the owner of the park.

Residents of these parks are often poor, often elderly, and often disabled. Their tenancy in these parks is often undefined, often unwritten, and often month to month, though the mutual assumption when the tenancy began was generally that the tenancy would be long term, since set-up and removal costs for the housing are high.

Though protective legislation at the state level prevents conversions of these parks without 6 or 12 months notice to the residents⁵³, there is nothing that prevents park owners from converting the parks to other uses. Many of the parks are in locations on major thoroughfares where commercial uses may be in the offing as urban uses expand. Alternatively, as the economics of stickbuilt housing relative to manufactured housing change, there may also be pressure for the replacement of manufactured housing parks by stickbuilt subdivisions under the often “unrestrictive” standards of local planned unit development (PUD) ordinances.

Mobile home parks serve a major need for housing for a certain often poor, elderly and disabled population. Local zoning often does little to protect these vulnerable populations from the large scale conversion of these parks. Since these parks are a valuable source of housing for this part of the housing market, and since conversions are liable to have such severe economic consequences for this largely low income population, there is a need to consider protective measures at the local level.

Oregon Legal Services and others.

⁵³ See, e.g., ORS 90.630(5).

10. Overcrowding Due to the Relative Deficiency of Housing for Large Families

Many households in the low income population are larger than can be accommodated in the typical one and two bedroom apartment.⁵⁴ Local jurisdictions need to survey the need in this area and ensure that housing is available for large households at at least the same measure of coverage as is available for smaller households. To do otherwise is to increase overcrowding, the likelihood of intra-household frustration and violence, and the risk of family failure.

11. Lack of a Housing Shelter for Homeless Single People

Washington County has a variety of shelters for domestic violence victims, and for families left homeless. However, there is no homeless shelter at all in the County for single persons either male or female. This would appear to be a Fair Housing Act violation given the disproportionate number of single homeless of either sex who are disabled.

The McKinney-Vento “Continuum of Care” process is designed to produce shelter for this population such that temporary shelters will lead to permanent housing and care for those in need of it. The lack of a shelter for single people appears to signal a gap in the process from homelessness to shelter to permanent housing. Local jurisdictions need to correct this failure to provide a homeless shelter for single men and women in Washington County.⁵⁵

12. Insufficiency of Programs to Assure Accessible Housing Choice

Disability is a protected class. Accessible housing is necessary to provide equal housing opportunities to people with disabilities. The obligation to “affirmatively further fair housing” requires local jurisdictions to ensure that local housing meets state and federal accessibility requirements and that the mix of housing owned or subsidized by local jurisdictions meets the accessibility needs of the population with disabilities.

⁵⁴ See the data presented in Section II(B)(2) above.

⁵⁵ The County’s current needs assessment has identified this shortcoming. The County hopes a non-profit applicant will seek federal funding from either the CBDG or the HOME program to close the gap.

The share of housing which is accessible to the low income disabled population has suffered from policies or practices by local governments in approving housing types that are exempt from federal accessibility requirements, for instance, townhouses, or by purchasing as low income housing housing that antedates federal accessibility standards and is not accessible.

Regardless of the applicability of federal accessibility standards to specific housing, or the composition of low income housing held or managed by public entities, local governments have an obligation to ensure that the percentage of the housing stock that is accessible reflects the share of the population that needs accessible housing.

13. Discrimination by Landlords Against Section 8 Voucher Holders

Nationally, of the households that receive either Section 8 vouchers or certificates, women head 84 percent of the households, 64 percent of the households have at least one minor child, 58 percent of these households are members of a racial or ethnic minorities, and 29 percent of the households have a household member with a disability.⁵⁶

Owners of properties which have not benefited from federal subsidies are not, at least by federal law, required to accept Section 8 vouchers; however, they are also not allowed to discriminate against protected class members by refusing to accept Section 8 vouchers, if that would have an adverse and disparate impact on a protected class, as here.

A U.S. Census Bureau survey shows that of the landlords surveyed, 42 percent refused to accept Section 8 tenants.⁵⁷ This discrimination is especially pronounced in white middle class areas resistant to inclusive housing if that means low income, minority, and disabled families in their neighborhoods.

The result is that otherwise qualified tenant applicants are being refused by some landlords ostensibly on the basis that the source of the funds to pay the rent would come from a section 8 voucher. Since the voucher is a guaranteed payment, it is difficult to understand how a landlord could reasonably reject such a payment arrangement other than

⁵⁶ Id at 608.

⁵⁷ Culbreath & Wilkinson, “No Section 8 Policies: Combating Landlords’ Resistance to Renting to Section 8 Recipients,” *Journal of Poverty Law and Policy*, 607, 608 (Jan-Feb 2000)(nationwide data).

as a guise for rejecting the applicant for other illegitimate reasons. Situations of this sort constitute a barrier to fair housing and need to be addressed locally.

14. Disproportionate Lack of Protected Class Home Ownership

Protected classes are dramatically under-represented in home ownership. HUD data shows, for example, that for the period 1997-99 Fannie Mae, Freddie Mac and FHAA made about 273,000 first time home loans in Oregon. Of these loans, African-American first time home buyers received 444. This means that out of every 10,000 loans made Black families got fewer than 2. In Washington County in 2002 FHA made 1,392 first time homebuyer loans. Of these 12 went to African-American families, with four of those families in Beaverton. Compare these numbers to the 28 first time homebuyer loans to African-American families in Clark County and 69 in the City of Portland during the same period.⁵⁸

Washington County jurisdictions should review various mechanisms for encouraging and maintaining home ownership in this population. Higher density standards in some areas may be appropriate, and protection of existing home ownership in manufactured housing in mobile home parks needs to be reinforced.

15. Need for Local Jurisdictions to Provide Tax, SDC and Other Incentives and an Accelerated Process for Development of Affordable Housing

There is a substantial shortage of low income housing in Washington County. One of the problems in satisfying this need is that existing funding is limited, and the cost of providing the housing is high. One of the reasons that the cost of the housing is high is because of local system development charges, application fees, public infrastructure requirements, and property taxes.

Given the nature of the public obligation to see to the development of adequate affordable housing in each jurisdiction, it may make sense to provide waivers or at least amortization of SDCs over time, waiver or reduction of application fees for such projects, and property tax reductions. There are precedents for all of these measures (and others) when the public interest is being served by “economic development” projects, and there

⁵⁸ HUD data as reported by Patton of the Fair Housing Council of Oregon.

are precedents for private projects receiving property tax breaks when defined as serving the public interest.⁵⁹

16. Victims of Domestic Violence are Being Evicted by Some Landlords Solely Because of Their Victimization

Victims of domestic violence can suffer various forms of discrimination arising out of that violence. Landlords with a “zero tolerance for violence” rule may elect to evict a family where there has been such violence, thereby leaving both the victim and the victimizer on the street with negatives on their rental records.

Policies of this sort are almost certainly violations of the Fair Housing Act prohibition of discrimination based on gender, since the victims are overwhelmingly women.

17. Domestic Violence Shelters in Adjoining Counties Refuse to Accept Families with Adolescent Boys as Part of the Inter-County Cooperative Overflow Program with Washington County Shelters

A second problem involving housing and victims of domestic violence has to do with domestic violence shelters. In Washington County the domestic violence shelters accept women victims and their children (including teenagers) whether or not the children are male or female. The overflow from these shelters is often accommodated in domestic violence shelters in Multnomah County when space is available in those shelters.

Unfortunately, the Multnomah County shelters refuse to admit women DV victims when they have boys over 12, but do allow them when their children are female. This is clearly housing discrimination based on gender.⁶⁰ The result of this policy is to eliminate access to these shelters for the large portion of DV victim families where there is at least one male child.

⁵⁹ Farmworkers housing, for example, is property tax exempt, as are properties in which the Washington County Housing Authority has an interest.

⁶⁰ This position was recently articulated by Rhonda Phoenix Tildon, Attorney Advisor, Office for Civil Rights, USDOJ, Office of Justice Programs (202-616-2797) at a Civil Rights Training Conference in Portland in April 2004.

18. Lack of Programs to Ensure that Linguistically Isolated Populations Have Equal Access to Housing

In Washington County there are a number of “linguistically isolated populations” whose poor facility with English may lead to substantial difficulties in applying for and obtaining housing.⁶¹

V. RECOMMENDATIONS

A. Overview

The need to have adequate affordable housing provided on a fair housing basis, i.e. on an adequate and non-discriminatory basis, is of particular concern under current conditions, including low income, high unemployment, and lack of access to health care. With these factors in mind, the following recommendations keyed to the discussion of impediments in section IV are presented.

1. Publicly Supported Low-Income Housing Should Not Be Sited in Areas of Failing Schools

Local governments should review the location of existing low income housing relative to the elementary school areas the housing is in. If the schools have a disproportional level of students in poverty or minority students, and student performance is substandard, public money available for the development of affordable housing units should be focused on dispersing the low income population to improve performance for the children involved. Part of this dispersal policy should include compensating improvements in transportation, job development, educational improvements, crime reduction, and access to health care and accessibility needs.

2. An Inspection Program Should be Instituted to Identify and Eliminate Lead-Based Paint in Housing Occupied By Protected Class Children

Local governments could eliminate the threat of lead based paint poisoning of children living in older housing by instituting a rolling one time lead based paint inspection program for older housing (both renter and owner occupied), such that over time the entire stock of pre-1978 housing could be inspected and problems corrected.

⁶¹ See the discussion in Section II(B)(1)(c) above.

3. Loss of Housing Due to Loss of Health Benefits and Medication Should be Addressed in Part by Local Programs to Provide Basic Health Care and Medication

Local governments have an economic choice for dealing with the problem of loss of housing for low income households due to the collapse of the programs providing health care and medication and the shift of high medical costs on to family resources which would otherwise go to housing. One way would be to compensate by providing more funds to subsidize housing. Alternatively, and perhaps less expensively, local governments could expand the good efforts currently underway in providing rudimentary health care via the evening clinic in the Public Services Building and the support to the Virginia Garcia Clinic. Local governments should direct some attention to this problem and these trade-offs in light of the consequences both in human and financial terms of leaving the problem unattended.

4. More Resources Need to be Dedicated to the Provision of Fair Share Housing to Households at 50% MFI and Lower

Local governments should undertake a more active effort to meet their “fair share” responsibility for the provision of housing in the less than 50% MFI and especially in the 30 percent of MFI range. The market is not going to provide substantial housing in this income bracket unless local jurisdictions design and implement programs with tax, SDC, fees and infrastructure incentives to help in the creation of this housing.

The strategy of developing affordable housing piecemeal by jurisdiction will only result in the intensification of the current residential segregation and isolation of minority households. Every community has a responsibility to help meet the region’s low and moderate income housing needs. Each municipality within Washington County should adopt as a goal the production of affordable units as outlined in Metro’s Title 7 and develop a long-term low income housing development plan. In doing so, each jurisdiction should consider the following strategies to meet their share of the region’s housing needs and adopt and implement those strategies it considers effective in achieving its numerical goal. These include:

- Density Bonuses
- Replacement Housing
- Voluntary Inclusionary Housing
- Reduce Barriers to Development of Housing for Elderly and Disabled

- Populations
- Reduction of Regulatory Constraints
- Reduced Parking Requirements
- Public Education Efforts
- Revolving fund for Payment of Permitting or Development Fees
- Land Banking and Land Assembly
- Property Tax Abatement
- County Housing Trust Fund contributions
- Real Estate Transfer Taxes
- Document Recording Fee Dedicated to Affordable Housing
- Long-Term Affordability Requirements
- Non-profit Organizational Partnerships, Including Faith-Based Organizations
- Employer Assisted Housing

For its part, the County should issue an annual performance progress report concerning the housing programs it operates and the housing units developed under the Affordable Housing Program or in conjunction with partnerships with non-profit or private corporations. The format should be similar to that produced by the Oregon Department of Housing and Community Services and include those categories in the table of Publicly Assisted Housing. That report should detail the following:

- a. The demographics of the wait list and the tenants of the Public Housing Authority housing assistance programs;
- b. The demographics of the tenant population residing in the Affordable Housing Program rental units and Home ownership units;
- c. The percentage and demographics of individuals with transitional housing assistance that gain permanent housing within a two-year period from the date of first assistance;
- d. By city and by project the percentage of housing opportunities developed through the Affordable Housing Program (all units developed with public funds) that provide affordable rental opportunities for households at 30% MFI, 50% MFI and 60% MFI and above, units designated for “special populations,” and those units with accessibility features;
- e. The current phone number of the management company or resident manager of all units of housing developed with the use of public funds and the number of the neighborhood elementary school;

- f. The funding sources used to develop or acquire the housing units;
- g. A statement of whether or not the housing will accept a Section 8 voucher;
- h. The numbers and demographics of first time home buyer loans by city.

5. Membership on Appointive Boards and Commissions Needs to be Expanded to Reflect the Protected Class Composition of the Communities Involved

All jurisdictions should review the membership on their appointive boards and commissions and take the necessary measures to ensure that if possible, membership on these boards is developed that fairly reflects the protected class composition of the overall community.

6. Estimates of the Need for Additional Affordable Housing Should Be Adjusted to Reflect the Share of Existing Low Income Housing Occupied by Higher Income Residents

Local government should survey both assisted and low income market-based housing to determine the income levels of the residents. To the extent that a disproportionate share of this housing stock is occupied by higher income residents, then the “need” for additional housing for the under 30 percent population should be adjusted upward and measures taken to fill this need.

7. Affordable Housing Should Be Dispersed From High Crime Areas

Additional work needs to be undertaken to develop data on crime by neighborhood and optimally by elementary school areas. To the extent that this work confirms that low income housing tends to be disproportionately located in high crime areas, measures should be undertaken to address this problem. Most important of these measures is the deconcentration of low income households away from these areas.

8. Local Governments Need to Develop Programs to Improve Housing of Last Resort Without Eliminating the Housing for this Population

Housing of last resort is housing where the residents are overcrowded, or where the condition of the housing is substandard, or where residents are living in “housing” which is not housing (e.g. garages), or where the conditions in housing are substandard due to drug running, violence, or of abusive conditions of other sorts.

The key to resolving this problem is to correct the condition of this housing without a resulting reduction in net housing units available to this population. One way to do this is to create a trust fund combined with a program of building inspections. When dilapidated buildings are identified and the landlord won’t or can’t make the necessary repairs, the trust fund in appropriate cases will make the repairs and take a lien on the property. Over time the neighborhood will be improved without substantial displacement of the population at risk.

9. A Study Needs to be Undertaken to Determine the Magnitude and Timing of the Conversion Threat to the Mobile Home Parks of Washington County and Appropriate Protective Measures Need to be Undertaken in Light of that Study

Discussions with Legal Services attorneys, city planners, and others in the industry show a substantial vulnerability of existing mobile home parks in the urbanized areas of the county to conversion.

To the extent possible zoning protections should be provided for existing mobile home parks. Though it may be difficult to rezone a non-conforming mobile home park to a more secure zone, rezoning the park away from its existing zone to facilitate conversion should be discouraged.

Given the large number of parks in the county (62), the substantial threat to those parks, and the very substantial financial vulnerability of the majority of the residents in the parks, local governments should combine to study the issue and come up with a policy to deal with the problem.

10. In Order to Address the Problem of Overcrowding, Low Income Housing for Large Families Should be Provided in Proportion to the Representation of Large Families in the Low Income Population

Washington County should undertake a housing needs survey and determine by municipality the number of rental units that are affordable for low-income large families. The allocation of public money to be used to develop affordable housing should ensure that housing is available for large households at no less than the rate of availability for smaller households. To do otherwise is to increase overcrowding, the likelihood of intra-household frustration and violence, and the risk of family failure.

11. Housing Shelters for Homeless Single People Need to be Provided and Any Other Gaps in the Continuum of Care Should be Closed

Local jurisdictions should work together and with non-profit organizations and others to provide the necessary shelter and ensure that any other gaps in the continuum of care are repaired.

12. Low Income Accessible Housing Should be Provided in Proportion to the Share of the Disabled Population in the Low Income Population. Public and Subsidized Housing Should not Discriminate Against the Disabled in Order to Save on Costs. Common Areas of Public and Subsidized Housing Should be Accessible to Allow Disabled Visitors.

Disability is a protected class. Accessible housing is necessary to provide equal housing opportunities to people with disabilities. The obligation to “affirmatively further fair housing” requires local jurisdictions to ensure that local housing meets state and federal accessibility requirements; the mix of housing owned, managed or subsidized by local jurisdictions meets the accessibility needs of the population with disabilities; and that the supply of accessible housing is adequate to the needs of the disabled population of the community.⁶²

All jurisdictions within Washington County should adopt an ordinance which requires all housing developed with public money, in-kind assistance or other economic or technical support from the jurisdiction should comply with the accessibility standards of the Americans with Disabilities Act, Title II (five percent of the units are to be physically accessible and two percent are accessible to hearing and sight-impaired residents). In almost every case, an affordable housing project receiving public money will be a

⁶² DLCD’s Goal 10 rules are located at OAR 660-015-0000(10).

participant in a local or state housing program or receiving federal funds.

Secondly, all jurisdictions within Washington County should adopt ordinances requiring all housing (private market and those units developed with public money, in-kind assistance or other economic or technical support from the jurisdiction) to rent to an otherwise qualified household with a Section 8 voucher where the housing contains accessibility features needed by a family member.

Pursuant to its obligations under Section 504, the Americans with Disabilities Act, Title II, and 24 CFR 8.25, the County should make available the following information:

- a. The need for accessible housing of current residents and applicants on the wait list for all housing programs and housing owned or operated by the County;
- b. The extent to which such needs can reasonably be met within four years through development, alterations otherwise contemplated or other programs operated by the County;
- c. If the County determines that alterations to make additional units accessible must be made so that the needs of eligible qualified individuals with handicaps may be accommodated proportionally to the needs of non-handicapped individuals in the same categories, then the County shall develop a transition plan to achieve program accessibility.

13. Discrimination by Landlords Against Otherwise Qualified Section 8 Voucher Holders Should Be Eliminated by Local Ordinance

Local governments should adopt ordinances prohibiting discrimination based on the receipt of federal subsidy payments against otherwise qualified applicants for housing. Such ordinances should prohibit both refusals to rent as well as “no cause” evictions based on the receipt of federal subsidy payments.

14. Disproportionate Lack of Protected Class Home Ownership Should be Addressed by Local Programs to Encourage Protected Class Home Ownership, Including Home Ownership in Mobile Home Parks

Protected classes are dramatically under-represented in home ownership. Local jurisdictions should review various mechanisms for encouraging and maintaining home

ownership in this population. Higher density standards in some areas may be appropriate, and protection of existing home ownership in manufactured housing in mobile home parks needs to be reinforced.

15. Local Jurisdictions Should Encourage the Provision of Low Income Housing by Providing Tax and SDC Incentives and an Accelerated Process for Development of Affordable Housing

Given the nature of the public obligation to see to the development of adequate affordable housing in each jurisdiction, it may make sense to provide waivers or at least amortization of SDCs over time, waiver or reduction of application fees for such projects, waiver or reduction in infrastructural requirements, and property tax reductions. There are precedents for all of these measures (and others) when the public interest is being served by “economic development” projects, and there are precedents for private projects receiving property tax breaks when defined as serving the public interest.

16. Local Governments Should Address, Through Education and Perhaps Licensing of Owners of Rental Property, the Problem of the Eviction of Victims of Domestic Violence Solely Because of Their Victimization

Local governments should review whether there are landlords in their jurisdictions that have policies of evicting the victims of domestic violence. If so training should be provided by the Fair Housing Council. In the event this is not sufficient to correct the problem such cases should be referred to Legal Services. To the extent that these measures do not adequately control the problem, local jurisdictions should consider adopting licensing requirements for owners of rental housing with suitable rules.

17. Administrators of Domestic Violence Shelters in Adjoining Counties Should Modify Their Refusal to Accept Families With Adolescent Boys as Part of the Inter-County Cooperative Overflow Program

Domestic violence shelters in Multnomah County refuse to accept overflow cases from Washington County when the DV victim mothers are accompanied by children including boys over 12. The rationale for this refusal is that the facilities were not designed to allow the sharing of space modestly between boys over 12 and girls and women. This argument is unreasonable. The age when boys stop being able to share intimate space with girls and women is much younger than 12. If modesty were the issue the dividing age would not be 12. This appears to be stereotyping and discrimination based on gender to the great disadvantage of women victims of domestic violence who

happen to have boy children.⁶³

A possible solution short of corrective litigation would be for the Washington County shelters or housing administrators to open a dialog with their counterparts in Multnomah County to encourage the correction of the problem through negotiation.

18. Programs to Ensure that Major Linguistically Isolated Populations Have Equal Access to Housing Should be Mandatory for Public and Subsidized Housing Providers

In Washington County there are a number of “linguistically isolated populations” whose poor facility with English may lead to substantial difficulties in applying for and obtaining housing.⁶⁴ To address this problem:

1. Programs that receive federal, state or local support should be required to ensure that their programs are accessible to linguistically isolated populations under reasonable conditions.
2. All jurisdictions within Washington County should adopt an ordinance requiring that all housing developed with public money, in-kind assistance or other economic or technical support from the jurisdiction to comply with the Limited English Proficiency Plan (LEP Plan) as adopted by the Department of Housing Services/Housing Authority of Washington County.
3. There should be a standard set of rental documents (e.g. rental agreements, lease forms, eviction and warning notices) for all publicly owned, managed, or operated housing and these documents should be available in the languages of the major linguistically isolated populations in Washington County. These documents should also be made available as a resource for private landlords.

⁶³ It should be noted that it is not possible to solve the problem by simply uprooting a family with no boys, already settled in the Washington County shelter, when a new family with a boy comes in, since families previously admitted to the shelter have usually settled the children in schools, gotten admitted to Washington County social service programs, and the disruption would be substantial.

⁶⁴ See the discussion in Section II(B)(1)(c) above.

VI. CONCLUSIONS

This report is based on the review of a substantial amount of data, attendance at various meetings including those involving the Consolidated Plan process, and the Housing Advocacy Group, and interviews with over 50 people involved in housing issues in Washington County and similar issues elsewhere.

Whereas this report is based on a substantial amount of data, it is not meant to be a complete compendium of all the data available on each topic covered. A good deal more work could be done on every issue.

The impediments listed here were identified in the interview process and then verified to the extent possible given the limitations of the schedule and the resources available. What is clear from all this work is that there are serious problems to be confronted; the people involved in the process have been universally good hearted and helpful; and solutions to the problems cited, while they may be difficult or expensive, are all possible and generally feasible.

Respectfully submitted,

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APPENDIX I

REVIEW OF THE FAIR HOUSING ACT AND RELATED STATUTES AND RULES

THE FAIR HOUSING ACT

The Fair Housing Act of 1968, 42 USC 3610, *et seq.*, as amended in substantial part in 1988, is a legislative enactment enforcing, with exceptions, a policy of equal access to all types of housing for classes of persons within its protection. To this end, the Act prohibits not only purposeful, intentional discrimination, but also practices which, applied equally to all without any intent to discriminate, have the practical effect of discriminating against groups protected by the Act. The Act, in other words, looks at discrimination from the perspective of the victim and concludes that one who is excluded from a type of housing by a policy suffers the impact of that exclusion irrespective of the intent of the practice.

The Protected Classes

The Fair Housing Act prohibits discrimination on the basis of race, color, religion, sex, familial status, or national origin. In addition, the Act bans discrimination based on disabilities. Relevant issues with the two more recent additions to the FHA --disability status and familial status-- are discussed below.⁶⁵

Disability Status

The Fair Housing Act, as it applies to persons with disabilities, is intended to accomplish three purposes: (1) to end segregation of the housing available to people with disabilities; (2) to give people with disabilities the right to choose where they wish to live; and (3) to require reasonable accommodation to their needs in securing and enjoying appropriate housing. Under the principle of a reasonable accommodation, the Act “would require that changes be made to such traditional rules or practices if necessary to permit a person with handicaps an equal opportunity to use and enjoy a dwelling.”⁶⁶ The House Report states further that “to the extent that terms, conditions, privileges, services or facilities operate to discriminate against a person because of a handicap, elimination of the discrimination would be required in order to comply with the requirements of this subsection.”⁶⁷

⁶⁵ This discussion is not in any way intended to be a comprehensive discussion of Fair Housing law. That discussion could take volumes.

⁶⁶ H.R. Rep. No. 711, 100th Cong., 2d Sess. 22, at 25 (1988).

⁶⁷ *Id.* at 23-24.

Under the Fair Housing Act, "handicapped" means:

- o a physical or mental impairment which substantially limits one or more of such person's major life activities;
- o a record of having such an impairment; or
- o being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

Families with Children

Until the Fair Housing Act Amendments of 1988 took effect, no federal statute provided comprehensive protection to families with children when those families suffered discrimination in housing. While some constitutional law had developed protecting familial status under constitutional right to privacy, because of the need for state action to bring a constitutional challenge, the rights were of limited impact; purely private action was not reached.

The term "familial status" means one or more individuals (who have not attained the age of 18 years) who are domiciled with a parent or a person having legal custody of the individual or who are domiciled with a person designated by the parent or other person having such custody with the written permission of such parent or other person. The term also encompasses persons who are pregnant as well as persons who are seeking to obtain legal custody of any individual who has not attained the age of 18 years.

While the Act does not prohibit discrimination based on marital status, it clearly prohibits discrimination against single parents or those who have a child born out of wedlock. It also clearly prohibits discrimination against single fathers, as well as single mothers, who have custody of their children.

Provision of Services "in Connection with" Housing

Despite the popular focus on a limited number of fair housing players, the Act does not limit its proscriptions to owners of residential housing, to real estate agents, and to banks. Instead, the statute also encompasses discrimination "in the provision of

services or facilities in connection with the sale or rental of a dwelling".⁶⁸ The Act makes it unlawful to discriminate against "any person ... in the provision of services or facilities in connection (with the sale or rental of a dwelling) because of race, color, religion, sex, familial status, or national origin."⁶⁹ A like provision prohibits discrimination against the handicapped⁷⁰ in the provision of services.⁷¹

The Department of Housing and Urban Development (HUD) regulations explain that the reach of these provisions includes "any conduct relating to the provision of ... services and facilities in connection [with housing] that otherwise makes unavailable or denies dwellings to persons."⁷² This includes "refusing to provide municipal services or providing such services . . . discriminatorily".⁷³ Discrimination by service providers limits the choices available for a provider of low-income housing, and increases the costs for that service,⁷⁴ which will be passed on to tenants.

Housing Quality

The statute contains provisions protecting housing quality,⁷⁵ as well as other provisions which protect access. It is obvious that a high-rise apartment building without elevator service, or any unit without utility service, is as effectively foreclosed to a tenant as if she were not allowed access to the unit at all.⁷⁶

⁶⁸ 42 USC 3604(a) and (b), (f)(1) and (2).

⁶⁹ 42 USC 3604(b).

⁷⁰ Handicap is broadly defined to include ... those who are perceived to be handicapped as well as those who have a physical or mental disability impacting one or more major life activities.

⁷¹ 42 USC 3604(f)(2).

⁷² 24 CFR 100.70(b) (1996).

⁷³ 24 CFR 100.70(d)(4) (1996).

⁷⁴ In the form of higher charges, inconvenience or quality of service.

⁷⁵ 42 USC 3604(b).

⁷⁶ There is a longstanding practice of continuing the provisions of Title VII and the FHA in lockstep. Under Title VII, courts have extended relief where discrimination foreclosed employment opportunities, although the perpetrator was not an

Exemptions

The Act itself exempts from liability certain transactions: for example, and with certain limitations, sales of single family homes by owners, and rental of units in an owner occupied building containing four or less units.⁷⁷

Discrimination Under the Act

Despite occasional references in cases and comments to the contrary, the FHA clearly prohibits practices which are neutral in form, but which disproportionately impact upon protected groups, as well as actions motivated by invidiously discriminatory motives. The Supreme Court has indicated a disparate impact standard under the FHA, and nearly every Federal Circuit has directly so held.⁷⁸

Some confusion has been caused by statements appearing in some cases that a violation of the Act (and not merely the establishment of a *prima facie* case) may be established upon a showing of disparate impact, *plus* some other factors.⁷⁹ These cases should be construed within the context that whatever the legal standard purportedly relied upon, as a practical matter, it is unlikely that any court would find a violation on a showing of disparate impact alone, without considering the defendant's reasons for its policy or the alternatives available to it (at least where the defendant is a private party). In today's society, a society in which discrete groups continuously hold the bottom

employer, but controlled access to the employment. For example, equal employment challenges have been brought against bar associations, licensing boards, hiring agencies, and the like.

⁷⁷ 42 USC 3603(b).

⁷⁸ Annotation, "Evidence of Discrimination Effects Alone As Sufficient to Prove Violation of the FHA" 100 ALR Fed. 97 (1990). *See also*, Milslein, et al, "FHA of 1988 - What It Means For People with Mental Disabilities," 23 Clearinghouse Rev. 128, 133 (1989). *See also*, 114 Cong. Rec. 5221-5222 (1968) (proposal to require showing of discrimination intent rejected).

⁷⁹ *See e.g., Dreher v. Rana Management*, 493 F.Supp. 930 (ED NY 1980); *MetroHousing Dev. Corp. v. Arlington Heights*, 588 F.2d 1283, *cert. den'd*, 434 U.S. 1025 (7th Cir. 1977).

positions on the economic continuum, nearly every policy will disproportionately affect protected groups. Accordingly, the kinds of considerations implicated by the "plus factors" are likely to play a part in every court's decision.

In having some courts require plaintiffs to prove more in order to make their case under FHA, the "plus factors" include:

1. Strength of the showing of impact;
2. Any evidence of discriminatory intent;
3. The defendant's action in adopting the policy; and
4. Whether the plaintiff seeks to compel the defendant to take affirmative action or merely to restrain interference with individual property owners.

Even for courts which do not formally adopt these considerations, like factors are bound to enter the decision making process.⁸⁰ Recent cases have devalued the importance of the second factor, "some proof of discriminatory intent," so the analysis is reduced to a familiar balancing of the defendant's interest in the policy against its discriminatory impact, with the *proviso* that, if the policy only seeks to enjoin interference with the transactions between landlords and tenants, it is entitled to less deference.

Governmental entities, however, may not justify a discriminatory housing policy on any grounds.⁸¹

Business Necessity

Until recently, it seemed clear that the defendant, at least in the employment context seeking to justify a policy which has discriminatory effects had the burden to prove both that the policy was compelled by a legitimate business necessity and that no less discriminatory alternative to the policy was available. Indeed, more relevantly, courts in housing cases have given little weight to asserted business necessity defenses,

⁸⁰ See e.g., *Huntington Branch, NAACP v. Town of Huntington*, 844 F.2d 926, 935 (2d Cir. 1988).

⁸¹ See e.g., *Resident Advisory Board v. Rizzo*, 564 F.2d 126 (3d Cir. 1977); see also, *Brown v. Artery Organization, Inc.*, 654 F.Supp. 1106 (D.D.C. 1987).

particularly if the defendant is a state actor.⁸²

OREGON DLCD RULES: GOAL 10⁸³

Oregon's land use regulatory system requires all Oregon's counties and cities to plan for the provision of adequate lands to meet the demand for housing at all income levels.

2. Plans should be developed in a manner than insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.

This requirement is supported by the requirement that the jurisdiction should:

Take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.

Goal 10 also sets forth under "B. Implementation," the requirement that each jurisdiction should implement a variety of measures to ensure the dispersal of low income housing throughout the planning area:

5. Additional methods and devices for achieving the goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revisions; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety codes; and (7) coordination of the development of urban facilities and services to disperse low-income housing throughout the

⁸² McCormack, "Business Necessity in Title VIII: Employment Discrimination Doctrine Into the Fair Housing Act," JF Fordham L. Rev. 563, 580 (1986).

⁸³ OAR 660-015-0000(10).

planning area.⁸⁴ (Emphasis added).

In sum, Goal 10 requires cities and counties as part of their land use planning responsibilities to plan for housing for all income levels within the city, and to use the whole variety of local planning and public finance devices to ensure that adequate and dispersed low-income housing is provided.

METRO'S REGIONAL AFFORDABLE HOUSING STRATEGY (RAHS)

Bad economic conditions produce a greater need for public efforts to ensure adequate housing for the poor, the disabled, the homeless, and other protected class populations. There is strain of thought that has shown up in various meetings and interviews which suggests that jurisdictions which implement programs to shoulder this responsibility will tend to attract badly served poor from other jurisdictions that have been slow to shoulder their share of the burden. The natural consequence of this thinking is the belief that if you shoulder your share, you will be given increasing amounts of the share of others to shoulder.

Implementation of this line of thought would be counter-productive economically (especially in terms of our spectacular run-up in gas prices), in terms of community building, and also in terms of conserving the scarce resources of both governments and low-income families:

People may live in one part, work in another and shop in yet another part of the region. In many areas of the region there are few affordable housing options for the people who work there. This means that workers must drive from other parts of the region, using time and scarce resources while increasing congestion and pollution.⁸⁵

Who are these workers earning less than 50% of the median family income?

Sometimes the region suffers from a misunderstanding of who needs affordable housing. The shortage of housing affects a wide variety of residents in our region particularly families or households earning 50% (\$26,850) or less of the region's annual median household income (MHI).

⁸⁴ Id.

⁸⁵ Metro, *Regional Affordable Housing Strategy*, p.1 (June 22, 2000).

Examples of households that fall into this category include a case manager at a nonprofit public defender's office, special education teacher, cashier for a department store, dental assistant, school bus driver, hair dresser, pharmacy assistant and many retired persons.⁸⁶

Those that make less than 30% of MHI include fast food workers, service station attendants and many pre-school teachers, for example.⁸⁷

Metro in its Title 7 rules has attempted to address this problem by setting forth "fair share" goals by jurisdiction.

Each city and county within the Metro region should adopt the Affordable Housing Production Goal indicated in Table 3.07-7 for their city or county as a guide to measure toward meeting the affordable housing needs of households with incomes between 0% and 50% of the regional median family income. 3.07.720.

Section 3.07.730(A)(3) requires all jurisdictions to:

Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.

For the period 2001-2006 Metro set forth a table with "Production Goals" per jurisdiction. These goals are consistent with the standards set forth in HUD rules requiring local jurisdictions to "affirmatively further fair housing," and the DLCD Goal 10 rules discussed above. For the Washington County jurisdictions the goals were as follows for the period 2001-06:

⁸⁶ Id at p.2.

⁸⁷ Id at 10.

WASHINGTON COUNTY JURISDICTIONS
Five Year Voluntary Affordable Housing Production Goals

Jurisdiction	Housing for <30%	Housing for 30-50%	Total
Beaverton	427	229	656
Cornelius	40	10	50
Forest Grove	55	10	65
Hillsboro	302	211	513
Tigard	216	103	319
Urban Unincorporated	1,312	940	2,252
Total	2,352	1,503	3,855

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11083	Homelessness and Special Needs
11092	HUD Income Limits for Washco, 2000
11094	Washco 1990 Census Tracts
11099	Housing Assistance Needs
11113	Research Tools and Results

11119 Glossary

Con Plan 2004

11124 List of Participants
11126 Questionnaire Results 2Mar04
11130 12March04 Meeting Notes
11134 Revised Draft of Strategies
11138 8April04 Meeting Notes
11148 HUD Projected Housing Needs
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- 20506 Urban Growth Management Functional Plan
- 20545 The Portland Region: How Are We Doing? March 2003

20555	Metro: Regional Affordable Housing Strategy 22 June 2000
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21000	Demographic Analysis of Proximity to Tri-Met Service
21001	Map: 2000 Population Per Acre
21001a	Map: 2000 Employment Per Acre
21002	Map: Persons with Income Below 150% of the Poverty Level
21002a	Map: Concentration of the Minority Population
21003	Map: Concentration of the African-American Population
21003a	Map: Concentration of the Asian-American Population
21004	Map: Concentration of the Hispanic Population
21004a	Map: Concentration of Other Minority Population
21005	Tri-Met: Transit Investment Plan June 2003 21023 Map: Persons with Incomes Less Than 150% of the Poverty Level 21027 Map: High Capacity Transit 21032 Map: Frequent Service System
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22505	UO for Oregon HCSD: Siting Affordable Housing in Oregon Communities

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| 13003 | <i>Otero v. New York Housing Authority</i> , 484 F.2d 1122 (2 nd Cir. 1973).
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APPENDIX III

INTERVIEWS

Table 31**INTERVIEWS**

Person	Organization	Interview
Peggy Scheer	Program Manager, Office of Community Development	Yes
Jennie Proctor	Office of Community Development	Yes
Henry Alvarez	Deputy Director, Department of Housing Services	Yes
Chance Wooley	Washington County Mental Health	Yes
Dennis Erickson	Washington County Department of Community Corrections	Yes
Michael Parkhurst	CBDG/HOME Director, City of Beaverton	Yes
Jeff Salvon	Associate Planner, City of Beaverton	Yes
Jim Brooks	Coordinator, Dispute Resolution Center, City of Beaverton	Yes
Richard Meyer	Director, Community Development, City of Cornelius	Yes
Jeff Beiwenger	Senior Planner, City of Forest Grove	Yes
Duane Roberts	Planner, City of Tigard	Yes
Vince Chiotti	Oregon Housing and Community Services	Yes
Laura Pierce	Regional Social Work Manager, Emergency Room, Providence-St. Vincent	Yes
Pegge McGuire	Director, Fair Housing Council of Oregon	Yes
Diane Hess	Fair Housing Council of Oregon	Yes
Erik Fotherington	Fair Housing Council of Oregon	Yes
Frank Omier	Fair Housing Council of Oregon	Yes
Moloy Good	Enforcement Coordinator, Fair Housing Council of Oregon	Yes
Doug Longhurst	HDC of NW Oregon	Yes
Linda Netherton	HDC of NW Oregon	Yes
Deborah Cameron	DVRC	Yes
Claudia Burnham	DVRC	Yes
Josephine Kopczynski	DVRC	Yes

Person	Organization	Interview
Alyssa Elting	DVRC	Yes
Martin Soloway	Community Partners for Affordable Housing	Yes
Rebecca Smith	Homeless Services Manager, Community Action Organization	Yes
Kris Moore	Interfaith Hospitality Network	Yes
Pat Rogers	Community Action Organization	Yes
Kristin Kane	Housing Manager, Cascade AIDS Project	Yes
Bill Faricy	Director, Homestreet Inc.	Yes
Terry Brown	Homestreet Inc.	Yes
Phil Hedrick	Cascade Housing Group	Yes
Melanie St. John	Willamette West Habitat for Humanity	Yes
Rev. Sam Park	Oregon Korean Community Center	Yes
Sabino Sardineta	Centro Cultural	Yes
Ellen Johnson	Oregon Legal Services	Yes
Philip Tegler	Ct. Civil Liberties Union and Legal Writer on Fair Housing	Yes
Mary Kyle McCurdy	1000 Friends of Oregon	Yes
Charlie Harris	Community Law Foundation	Yes
Andrew Epstein	Independent Living Resources	Yes
Kathy Lucas	Northwest Oregon Housing Authority	Yes
Sarah Salisbury	Housing and Community Services (MH)	Yes
Lt. Glenn Chastain	Oregon State Police	Yes
Susan Hardy	Crime Data Collection, OSP	Yes
Michael Allen	Bazon Center for Mental Health Law	Yes
Ken Zatarain	Director, Transportation Planning, TRI-MET	Yes
Rachael Brown	Hillsboro Legal Services	Yes
Anna Davis	Hillsboro Legal Services	Yes
Bill Haack	Office of Community Development	Yes
Micky Ryan	Oregon Law Center	Yes
John Van Landingham	Lane County Law and Advocacy Center	Yes
Don Miner	Oregon Manufactured Housing Assn	Yes
Rick Lieker	Oregon State Childhood Lead Coordinator	Yes

APPENDIX IV

SCHOOL PERFORMANCE DATA

Demographic Data for Washington County Schools

Data is from the Oregon Department of Education Web Page (2002-2003 school year)

State: 41% poverty
24% minority
75% white, 3% Black, 13% Hispanic, 4% Asian/Pacific Islander,
2% Native American

Beaverton

DISTRICT: 28% poverty
31% minority
68% White, 3.3% Black, 14% Hispanic, 13% Asian/Pacific Islander, 0.9%
Native American
12% ESL

1. Aloha Park

66% poverty
56% minority (42% Hispanic)
35% ESL
Below the comparison school in math and reading achievement
Percentage not meeting math and reading:
Students with Disabilities 63% / 77%
Migrant 77% / 60%
LEP 53% / 58%
Economically Disadvantaged 48% / 34%
Hispanic 55% / 57%
White 20% / 23%
All Students 33% / 37%

2. Barnes Elementary

70% poverty
56% minority (46% Hispanic)
46% ESL
Below the comparison school in math and reading achievement
Percentage not meeting math and reading:
Students with Disabilities 63% / 67%
Migrant 73% / 78%
LEP 52% / 49%
Economically Disadvant 49% / 33%

Hispanic	52% / 50%
White	11% / 10%
All Students:	33% / 30%

3. Beaver Acers Elementary

60% poverty	
38% minority (21% Hispanic)	
23% ESL	
Percentage not meeting math and reading:	
St with Dis:	50% / 48%
Migrant:	None
LEP	17% / 44%
Economically Disadvant:	4.5% / 24%
Hispanic	12% / 42%
White	11% / 10%

4. Bethany Elementary

11% poverty	
31% minority (25% Hispanic)	
9% ESL	
Percentage not meeting math and reading:	
St/ with Dis	27%/27%
Migrant	none
LEP	5.6%/11%
Economically Disadvant	0%/13%
Hispanic	N/A
White	4%/5%

**Note: Above State and District % for Meeting Standards

5. Cedar Mills Elementary

25% poverty	
21% minority (11% Hispanic)	
11% ESL	
Percentage Not Meeting Math and Reading Standards	
St. w/ Dis	43%/46%
Migrant	N/A
LEP	67%/57%
Economically Disadvant	42%/41%

Hispanic	69%/64%
White	10%/11%

6. Chehalem Elementary

46% poverty	
35 minority (20% Hispanic)	
23% ESL	
Percentage Not Meeting Math and Reading Standards	
St. w/ Dis	58%/63%
Migrant	33%/N.A
LEP	46%/64%
Economically Disadvant	53%/38%
Hispanic	47%/60%
White	18%/15%

** Note: Below Comparison, District and State levels

7. Cooper Mountain Elementary

11% poverty	
19% minority (14% Asian/Pacific Islander)	
7% ESL	
Percentage Not Meeting Math and Reading Standards	
St.w/ Dis	0%/8%
Migrant	N/A
LEP	29%/47%
Economically Disadvant	13%/0%
Hispanic	27%/14%
White	2%/4%

8. Elmonica Elementary

32% poverty	
47% minority (27% Asian/Pacific Islander)	
21% ESL	
Percentage Not Meeting Math and Reading Standards	
St. w/ Dis	29%/32%
Migrant	N/A
LEP	24%/31%
Economically Disadvant	18%/21%
Hispanic	32%/36%
White	8%/5%

9. Errol Hassell Elementary

22% poverty
24% minority (10% Asian/Pacific Islander and 11% Hispanic)
9% ESL
Percentage Not Meeting Standards
St.w/Dis 55%/52%
Migrant No Data
LEP 30%/20%
Economically Disadvant 32%/26%
Hispanic 40%/33%
White 15%/13%

10. Findley Elementary

5% poverty
39% minority (35% Asian/Pacific Islander)
6% ESL
Percentage Not Meeting Math and Reading Standards
St.w/ Dis 19%/10%
Migrant N/A
LEP 43%/57%
Economically Disadvant 11%/7%
Hispanic N/A
White 5%/5%

11. Fir Grove Elementary

40% poverty
32% minority (17% Hispanic)
18% ESL
Percentage Not Meeting Math and Reading Standards
St. w/ Dis 46%/46%
Migrant N/A
LEP 59%/61%
Economically Disadvant 59%/31%
Hispanic 49%/46%
White 21%/17%

12. Greenway Elementary

48% poverty
38% minority (21% Hispanic and 10% Asian/Pacific Islander)
24% ESL
Percentage Not Meeting Standards
St.w/Dis 25%/50%
Migrant No Data
LEP 19%/50%
Economically Disadvant 21%/33%
Hispanic 16%/47%
White 6%/13%

13. Hazeldale Elementary

36% poverty
26% minority (13% Hispanic)
11% ESL
Percentage Not Meeting Math and Reading Standards
St. w/ Dis 44%/62%
Migrant N/A
LEP 50%/62%
Economically Disadvant 33%/22%
Hispanic 48%/50%
White 16%/17%

14. Hiteon Elementary

12% poverty
19% minority (11% Asian/Pacific Islander)
6% ESL
Percentage Not Meeting Math and Reading Standards
St. w/ Dis 44%/50%
Migrant N/A
LEP 25%/38%
Economically Disadvant 9%/9%
Hispanic 33%/44%
White 6%/7%

15. Jacob Wismer Elementary

6% poverty	
38% minority (31% Asian/Pacific Islander)	
8% ESL	
Percentage Not Meeting Math and Reading Standards	
St.w/Dis	25%/25%
Migrant	N/S
LEP	43%/33%
Economically Disadvant	11%/0%
Hispanic	0%/16%
White	9%/6%

16. Kinnaman Elementary

56% poverty	
39% minority (25% Hispanic)	
24% ESL	
Percentage Not Meeting Math and Reading Standards	
St.w/Dis	41%/62%
Migrant	N/A
LEP	56%/63%
Economically Disadvant	33%/30%
Hispanic	50%/57%
White	14%/17%

17. McKay Elementary

32% minority (22% Hispanic)	
15% ESL	
Percentage Not Meeting Math and Reading Standards	
St.w/Dis	30%/46%
Migrant	N/A
LEP	20%/44%
Economically Disadvant	11%/46%
Hispanic	29%/50%
White	11%/10%

18. McKinley Elementary

45% poverty
52% minority (19% Hispanic and 17% Asian/Pacific Islander)
21% ESL
Percentage Not Meeting Standards
St.w/Dis 68%/73%
Migrant N/A
LEP 39%/39%
Economically Disadvant 36%/39%
Hispanic 47%/32%
White 26%/20%

19. Nancy Ryles Elementary

21% poverty
25% minority (13% Asian/Pacific Islander)
8% ESL
Percentage Not Meeting Standards
St.w/Dis 26%/30%
Migrant No Data
LEP 33%/50%
Economically Disadvant 8%/18%
Hispanic 25%/18%
White 95/7%

20. Montclair Elementary

30% poverty
20% minority (12% Hispanic)
13% ESL
Percentage Not Meeting Standards
St.w/Dis 69%/69%
Migrant No Data
LEP 64%/57%
Economically Disadvant 45%/21%
Hispanic 55%/36%
White 20%/15%

21. Oak Hills Elementary

13% poverty
27% minority (22% Asian/Pacific Islander)
8% ESL
Percentage Not Meeting Standards
St.w/Dis 37%/41%
Migrant No Data
LEP 35%/31%
Economically Disadvant 8%/21%
Hispanic 17%/33%
White 11%/8%

22. Raleigh Hills Elementary

29% poverty
19% minority (12% Hispanic)
14% ESL
Percentage Not Meeting Standards
St.w/Dis 32%/39%
Migrant N/A
LEP 57%/53%
Economically Disadvant 27%/24%
Hispanic 45%/50
White 10%/10%

23. Raleigh Park Elementary

29% poverty
26% minority (16% Hispanic)
15% ESL
Percentage Not Meeting State Standards
St.w/Dis 69%/42%
Migrant No Data
LEP 63%/42%
Economically Disadvant 40%/30%
Hispanic 79%/50%
White 5%/5%

24. Ridgewood Elementary

20% poverty
20% minority (10% Hispanic)
6% ESL
Percentage Not Meeting State Standards
St.w/Dis 28%/19%
Migrant No Data
LEP 50%/50%
Economically Disadvant 21%/14%
Hispanic 33%/17%

25. Rock Creek Elementary

23% poverty
32% minority (15% Asian/Pacific Islander)
10% ESL
Percentage Not Meeting State Standards
St.w/Dis 39%/50%
Migrant No Data
LEP 42%/46%
Economically Disadvant 27%/33%
Hispanic 31%/33%
White 9%/8%

26. Scholls Heights Elementary

8% poverty
28% minority (20% Asian/Pacific Islander)
9% ESL
Percentage Not Meeting Standards
St.w/Dis 7%/31%
Migrant N/A
LEP 6%/26%
Economically Disadvant 24%/22%
Hispanic 15%/23%
White 4%/9%

27. Sexton Mountain Elementary

9% poverty	
5% minority (Asian/Pacific Islander)	
7% ESL	
Percentage Not Meeting State Standards	
St.w/Dis	22%/30%
Migrant	No Data
LEP	11%/33%
Economically Disadvant	15%/25%
Hispanic	No Data
White	10%/7%

28. Terra Linda Elementary

18% poverty	
30% minority (17% Asian/Pacific Islander)	
10% ESL	
Percentage Not Meeting State Standard	
St.w/Dis	56%/59%
Migrant	No Data
LEP	46%/58%
Economically Disadvant	26%/20%
Hispanic	61%/64%
White	95/8%

29. Vose Elementary

80% poverty	
72% minority (61% Hispanic)	
55% ESL	
Percentage Not Meeting Standards	
St.w.Dis	63%/72%
Migrant	65%/57%
LEP	70%/65%
Economically Disadvant	61%/49%
Hispanic	68%/66%
White	18%/21%

**Note Below comparison school by 23%.

***From 1999-2000, scores have fallen from 24% (Reading) and 13% (Math)

30. West Tualatin View Elementary

25% poverty
25% minority (12% Asian/Pacific Islander and 12% Hispanic)
18% ESL
Percentage Not Meeting Standards
St.w/Dis 15%/15%
Migrant N/A
LEP 50%/60%
Economically Disadvant 46%/18%
Hispanic 46/18%
White 7%/5%

31. William Walker Elementary

70% poverty
61% minority (50% Hispanic)
43% ESL
Percentage Not Meeting Standards
St.w/Dis 63%/65%
Migrant 54%/83%
LEP 50%/55%
Economically Disadvant 50%/36%
Hispanic 52%/55%
White 28%/23%

GASTON

DISTRICT

35% poverty
% minority. 91% White, 0.9% Black, 6.1% Hispanic, 1% Asian/Pacific Islander,
1% Native American

1. Gaston Elementary

44% poverty
7% minority
0% ESL
Percentage Not Meeting Standards
St.w/Dis 44%/56%
Migrant N/A
LEP N/A
Economically Disadvant 16%/25%
Hispanic No Data Available
White 24%/22%

BANKS

District

20% poverty
7% minority, 93% White, <1% Black, 5% Hispanic, 1% Asian/Pacific Islander,
1% Native American

1. Banks Elementary

Did not meet federal adequate yearly progress goal
24% poverty
7% minority
3% ESL
Percentage Not Meeting Standards
St.w/Dis: 39%/52%
Migrant N/A
LEP N/A
Economically Disadv 33%/22%
Hispanic 57%/43%
White 22%/24%

FOREST GROVE

District

54% poverty
40% minority
60% White, 1% Black, 38% Hispanic, 1% Asian/Pacific Islander, 1% Native American

1. Cornelius Elementary

75% poverty
74% minority (72% Hispanic)
55% ESL
Percentage Not Meeting Standards
St.w/Dis 90%/90%
Migrant N/A
LEP 31%/68%
Economically Disadvant 38%/64%
Hispanic 34%/68%
White 17%/18%

2. Dilley Elementary

27% poverty
10% Minority (8% Hispanic)
0% ESL
Percentage Not Meeting Standards
St.w/Dis 43%/69%
Migrant N/A
LEP N/A
Economically Disadvant 0%/13%
Hispanic N/A—not enough to test
White 20%/23%

3. Echo Shaw Elementary

71% poverty
66% Hispanic (65% Hispanic)
50% ESL
Percentage Not Meeting Standards
St.w/Dis: 63%/94%
Migrant 29%/53%
LEP 35%/61%
Economically Disadvant 30%/43%
Hispanic 33%/52%
White 17%/24%

4. Gales Creek Elementary

30% poverty
4% minority (3% Hispanic)
0% ESL
Percentage Not Meeting Standards
St.w/Dis 50%/50%
Migrant N/A
LEP N/A
Economically Disadvant N/A
Hispanic Not Enough to Report
White 16%/16%

5. Harvey Clark Elementary

34% poverty
22% Minority (17% Hispanic)
7% ESL
Percentage Not Meeting Standards
St.w/Dis 47%/47%
Migrant 71%/50%
LEP 77%/50%
Economically Disadvant 35%/27%
Hispanic 57%/43%
White 19%/14%

6. Joseph Gale Elementary

71% poverty
35% Minority (32% Hispanic)
41% ESL
Percentage Not Meeting Standards
St.w/Disa No Data Available
Migrant 43%/85%
LEP 41%/78%
Economically Disadvant 31%/60%
Hispanic 39%/69%
White 3%/8%

7. Tom McCall Upper Elementary

66% poverty
43% Minority (41% Hispanic)
27% ESL
Percentage Not Meeting Standards
St.w/Dis 58%/64%
Migrant 88%/>95%
LEP 73%/76%
Economically Disadvant 51%/49%
Hispanic 57%/59%
White 29%/24%

HILLSBORO

District

35% poverty
34% minority
66% White, 2% Black, 24% Hispanic, 7% Asian/Pacific Islander, 1% Native American

1. Brookwood Elementary

24% poverty	
21% minority	
10% ESL	
Percentage Not Meeting Standards	
St.w/Dis	61%/52%
Migrant	14%/14%
LEP	18%/18%
Economically Disadvant	35%/17%
Hispanic	17%/28%
White	22%/14%

2. Butternut Creek

35% poverty	
29% minority	
10% ESL	
Percentage Not Meeting Standards	
St.w/Dis	84%/84%
Migrant	33%/50%
LEP	67%/73%
Economically Disadvant	38%/37%
Hispanic	34%/41%
White	32%/33%

3. David Hill Elementary

** Did not meet Reading standard for Hispanic or LEP students, nor did the school meet math or reading for special ed students.

**Did not meet federal adequate yearly progress rating for 2002-2003.

83% poverty	
74% minority	
50% ESL	
Percentage Not Meeting Standards	
St.w/Dis	>95%/>95%
Migrant	76%/86%
LEP	69%/80%
Economically Disadvant	60%/50%
Hispanic	68%/80%
White	30%/39%

4. Eastwood Elementary

Did not meet federal adequate yearly progress.

31% poverty

30% minority

19% ESL

Percentage Not Meeting Standards

St.w/Dis	73%/87%
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Migrant	53%/67%
---------	---------

LEP	58%/61%
-----	---------

Economically Disadvant	52%/41%
------------------------	---------

Hispanic	64%/62%
----------	---------

White	24%/26%
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5. Farmington View Elementary

26% poverty

25% minority

10% ESL

Percentage Not Meeting Standards

St.w/Dis	76%/76%
----------	---------

Migrant	73%/73%
---------	---------

LEP	75%/88%
-----	---------

Economically Disadvant	50%/47%
------------------------	---------

Hispanic	63%/69%
----------	---------

White	32%/35%
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6. Groener Elementary

30% poverty

23% minority

15% ESL

Percentage Not Meeting Standards

St.w/Dis	50%/50%
----------	---------

Migrant	75%/67%
---------	---------

LEP	69%/63%
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Economically Disadvant	46%/25%
------------------------	---------

Hispanic	65%/59%
----------	---------

White	27%/22%
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7. Imlay Elementary

18%	poverty	
29%	minority	
7%	ESL	
Percentage Not Meeting Standards		
St.w/Dis		60%/75%
Migrant		No data available
LEP		50%/25%
Economically Disadvant		36%/15%
Hispanic		50%/25%
White		12%/15%

8. Indian Hills Elementary **

36%	poverty	
37%	minority	
14%	ESL	
Percentage Not Meeting Standards		
St.w/Dis		64%/85%
Migrant		50%/67%
LEP		48%/52%
Economically Disa		25%/38%
Hispanic		50%/42%
White		16%/16%

9. Jackson Elementary

9%	poverty	
20%	minority	
1%	ESL	
Percentage Not Meeting Standards		
St.w/Dis		65%/75%
Migrant		No Data
LEP		No Data
Economicaly Disa		29%/47%
Hispanic		29%/43%
White		21%/17%

10. Ladd Acres Elementary

22% poverty	
25% minority	
6% ESL	
Percentage Not Meeting Standards	
St.w/Dis	36%/57%
Migrant	No Data
LEP	55%/73%
Economically Disa	27%/10%
Hispanic	21%/36%
White	11%/11%

11. Lenox Elementary

20% poverty	
24% minority	
5% ESL	
Percentage Not Meeting Standards	
St.w/Dis	38%/38%
Migrant	No Data
LEP	44%/44%
Economically Disa	35/10%
Hispanic	33%/33%
White	10%/7%

13. Minter Bridge Elementary **

**Note: Did not meet federal adequate yearly progress.

53% poverty	
51% minority	
43% ESL	
Percentage Not Meeting State Standards	
St/w/Dis	79%/64%
Migrant	84%/71%
LEP	78%/70%
Economically Disa	68%/36%
Hispanic	72%/64%
White	15%/14%

14. Moobery Elementary

Both Math and Reading scores below comparison school, district and state average score.

61% poverty	
50% minority	
28% ESL	
Percentage Not Meeting State Standards	
St.w/Dis	77%/86%
Migrant	61%/70%
LEP	63%/64%
Economically Disa	61%/41%
Hispanic	58%/60%

15. North Plains Elementary

Both Math and Reading scores at or above comparison school, district and state average score.

38% poverty	
36% minority	
4% ESL	
Percentage Not Meeting State Standards	
St.w/Dis	70%/56%
Migrant	43%/33%
LEP	43%/33%
Economically Dis	53%/13%
Hispanic	33%/25%
White	17%/10%

16. Patterson Elementary

Did not meet federal adequate yearly progress standard. In general, math and reading scores below comparison school and state average score, but similar to district scores.

28% poverty	
27% minority	
8% ESL	
Percentage Not Meeting State Standards	
St.w/Dis	74%/82%
Migrant	No Data
LEP	69%/69%
Economically Disa	42%/23%
Hispanic	62%/62%
White	24%/18%

17. Peter Boscow Elementary

In general, math and reading scores below comparison school, district and state average scores.

71% poverty	
66% minority	
47% ESL	
Percentage Not Meeting State Standards	
St.w/Dis	82%/73%
Migrant	79%/77%
LEP	71%/80%
Economically Disa	58%/54%
Hispanic	63%/72%
White	18%/15%

18. Orenco Elementary

In general, math and reading score below comparison school and state average score but close to district scores.

11% ESL	
Percentage Not Meeting State Standarads	
St.w/Dis	59%/63%
Migrant	No Data
LEP	71%/75%
Economically Disa	63%/52%
Hispanic	50%/57%
White	23%/20%

19. Reedville Elementary

In general, math and reading scores below comparison school, district and state average scores.

48% poverty	
48% minority	
28% ESL	
Percentage Not Meeting State Standards	
St.w/Dis	88%/88%
Migrant	77%/93%
LEP	63%/70%
Economically Disa	43%/43%
Hispanic	63%/75%
White	21%/17%

20. Tobias Elementary

Math scores were below comparison and state average scores, but similar to district average scores. Reading scores were below comparison school scores, above district average scores but similar to state average.

30% poverty	
38% minority	
13% ESL	
Percentage Not Meeting State Standarads	
St.w/Dis	48%/74%
Migrant	No Data
LEP	37%/56%
Economically Disa	43%/32%
Hispanic	38%/50%
White	24%/19%

21. W.L. Henry Elementary

Did not meet federal adequate yearly progress standard.

Math and reading scores below comparison school, district and state average scores.

Math: 53% v 73% District

Reading 58% v 76% District

74% poverty

80% minority

65% ESL

Percentage Not Meeting State Standards

St.w/Dis	74%/86%
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Migrant	58%/64%
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LEP	58%/60%
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Economically Disa	58%/28%
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Hispanic	58% 60%
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White	24%/33%
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22. W. Verne McKinney Elementary

Percentage of students meeting math and reading standards exceeded the number of students in the comparison school, the district and the state.

50% poverty

42% minority

26% ESL

Percentage Not Meeting State Standards

St.w/Dis	65%/77%
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Migrant	25%/13%
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LEP	33%/24%
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Economically Disa	20%/19%
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Hispanic	27%/20%
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White	21%/16%
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23. West Union Elementary

Percentage of students meeting reading scores exceeded those in the comparison school, the district and the state. Percentage of students meeting math scores exceeded the district and state average, and were only slightly less than the comparison school.

14% poverty	
24% minority	
6% ESL	
Percentage Not Meeting State Standards	
St.w/Dis	40%/31%
Migrant	No Data
LEP	No Data
Economically Disa	20%/8%
Hispanic	46%/46%
White	11%/4%

24. Witch Hazel Elementary

Percentage of students meeting reading standards exceeded the percentage in the comparison school, the district and state average. Percentage of students meeting math standards exceeded the percentage in the comparison school and the state average, but was similar to the district average score.

54% poverty	
50% minority	
24% ESL	
Percentage Not Meeting Standards	
St.w/Dis	80%/7%
Migrant	No Data
LEP	50%/70%
Economically Disa	42%/42%
Hispanic	46%/69%
White	35%/41%

SHERWOOD

District

The percent of students meeting math and reading standards was higher than the state average.

11% poverty

10% minority

90% White, 1% Black, 5% Hispanic, 3% Asian/Pacific Islander, <1% Native American

1. Archer Glen Elementary

The percentage of students meeting math and reading standards was similar to the comparison school and the district average, but higher than the state average.

11% poverty

9% minority

3% ESL

Percentage Not Meeting Standards

St.w/Dis 35%/33%

Migrant No Data

LEP 67%/67%

Economically Disa 33%/7%

Hispanic No Data

White 10%/7%

2. J. Clyde Hopkins Elementary

Percentage of students meeting reading standards was similar to the comparison school, below the district average, but above the state average

Percentage of students meeting math standards was below the district and comparison school, but above the state average.

18% poverty

13% minority

5% ESL

Percentage Not Meeting Standards

St.w/Dis 43%/46%

Migrant No Data

LEP No Data/29%

Economically Disa 7%/13%

Hispanic 25%/0%

White 15%/14%

3. Middleton Elementary

The percentage of students meeting state standards for math or reading met or exceeded those in the comparison school, the district and state average.

8% poverty	
11% minority	
3% ESL	
Percentage Not Meeting Standard	
St.w/Dis	32%/50%
Migrant	No Data
LEP	29%/29%
Economically Disa	19%/19%
Hispanic	21%/14%
White	7%/8%

TIGARD

District

As a district, did not meet the English/language arts standard for Hispanic students or the graduation rate. Also, did not meet the same standards for special ed students
Did not meet the federal adequate yearly progress standard as a district.

24% poverty
24% minority
75% White, 3% Black, 14% Hispanic, 7% Asian/Pacific Islander, 1% Native American

1. Bridgeport Elementary

Percentage of students meeting math and reading standards was less than the comparison school, the district or the state average.

41% poverty	
38% minority (30% Hispanic)	
26% ESL	
Percentage Not Meeting Standards	
St.w/Dis	67%/33%
Migrant	No Data
LEP	77%/63%
Economically Disa	54%/47%
Hispanic	17%/60%
White	14%/11%

2. Charles Tigard Elementary

Percentage of students meeting reading standards below that of those in the comparison school and the district average, but similar to the state average. Percentage of students meeting math standards was below the district average, similar to the comparison school, but higher than the state average.

38% poverty	
28% minority (19% Hispanic)	
19% ESL	
Percentage Not Meeting Standards	
St.w/Dis	50%/63%
Migrant	No Data
LEP	38%/48%
Economically Disa	38%/39%
Hispanic	44%/65%
White	10%/11%

3. Deer Creek Elementary

Percentage of students meeting math and reading standards exceeded those in the comparison school, the district and state average.

22% poverty	
20% minority (8% Hispanic)	
8% ESL	
Percentage Not Meeting Standards	
St.w/Dis	8%8%
Migrant	No Data
LEP	38%/50%
Economically Disa	14%/5%
Hispanic	50%/63%
White	7%/5%

4. Durham Elementary

Percentage of students meeting math and reading standards exceeded those of the comparison school, the district and state average.

30% poverty
32% minority (18% Hispanic)
12% ESL
Percentage Not Meeting Standards
St.w/Dis 41%/40%
Migrant No Data
LEP 37%.44%
Economically Disa 31%/28%
Hispanic 44%/39%
White 7%/6%%

5. Edward Byrom Elementary

Percentage of students meeting math and reading standards exceeded those of the comparison school, the district and state average.

18% poverty
23% minority (14% Hispanic)
14% ESL
Percentage Not Meeting Standards
St.w/Dis 17%/21%
Migrant No Data
LEP 21%/25%
Economically Disa 21%17%
Hispanic 26%/27%

6. James Templeton Elementary

Percentage of students meeting math and reading standards similar to those in the comparison school and the district average. The percentage of students meeting the math standard exceeded the state average.

33% poverty	
22% minority (14% Hispanic)	
14% ESL	
Percentage Not Meeting Standards	
St.w/Dis	42%/42%
Migrant	No Data
LEP	50%/44%
Economically Disa	36%/27%
Hispanic	65%/56%
White	10%/10%

7. Mary Woodward Elementary

Percentage of students meeting math and reading standards exceeded all three measures (more than 95% of all students met the standards)

8% poverty	
17% minority (11% Asian/Pacific Islander—3% Hispanic)	
4% ESL	
Percentage Not Meeting Standards	
St.w/Dis	15%/23%
Migrant	No Data
LEP	0%/0%
Economically dis	8%/30%
Hispanic	0%/0%
White	4%/4%

8. Metzger Elementary

Percentage of students meeting math and reading standards was below all three measures.

53% poverty	
43% Minority (27% Hispanic)	
29% ESL	
Percentage Not Meeting Standards	
St.w/Dis	84%/73%
Migrant	No Data
LEP	67%/64%
Economically Dis	47%/45%
Hispanic	61%/57%
White	18%/17%

9. Tualatin Elementary

Percentage of students meetings reading standards was similar to all three measures. The percent of students meeting math standards was similar to the comparison school and the state average but below the district average.

50% poverty	
40% Minority (34% Hispanic)	
28% ESL	
Percentage Not Meeting Standards	
St.w/Dis	75%/65%
Migrant	No Data
LEP	45%/45%
Economically Disa	40%/31%
Hispanic	45%/44%
White	12%/12%

APPENDIX V

ASSISTED HOUSING PROJECTS

July 15, 2004

Publicly Funded Housing For Washington County

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Aloha													
Aloha Park	875 SW 185 th AVE Aloha, OR 97006 503-649-6340	236 (j)(1) HUD	Multi Family	80	8	8	0	1997	0	0	4 units ramp only not otherwise accessible 1-1BR, 1-2BR, 2-3BR	20-1BR 40-2BR 20-3BR	McKinley
Aloha Project	4455 SW 184 th AVE Aloha, OR 97007 503-292-5066	202 HUD	CMI	10	10	10	0	/	0	10	10--0BR	10--0BR (Efficiency)	Aloha Park
Brentwood Oaks	3245 SW 182 nd AVE Aloha, OR 97006 [503-224-2830] or 503-356-8350	Home, Tax Credit	Elderly Disabled	78	78	0	6	1998	0	0	40-1BR 38-2BR	40-1BR 38-2BR	Beaver Acres
Cuenca House	SW 185 th Aloha, OR 97006	5 up to 50% Home ,	CMI	5		0	5	1995				5-1BR	McKinley
185 th Duplex	185 th & Johnson Aloha, OR 97007 503-846-4776 [or 503-846-4757]	6 up to 80% AMI CDBG	Multi Family	6	6	0	0	1993	0	0	0	2-2BR 4-3BR	McKinley
Farmington Meadows	503-642-5557 [or 503-643-1150]	60%, PAB, Tax Credit	Multi Family	69	69	68	0	1999	0	4	4-2BR	8-1BR 12-2BR flats 32-2BR Town homes 16-3BR	Aloha Park
Kinnaman Square Apts	4445 SW 188 th AVE Aloha, OR 97007 503-585—0568??	Tax Credit	Family	12				1987	0	0	0	12-2BR	Kinnaman

Kinnaman Townhomes	17647 SW Kinnaman RD 503-649-7639	Tax Credit	Multi Family	40	20	0	0	1994	0	0	0	22-2BR 18-3BR	Aloha Park
Marilann Terrace Apts	21250 SW Alexander Beaverton 97006 503-846-4776 503-693-6300	7 up to 60%, up to 80% AMI, HAWC, Bonds	Multi Family	18	18	0	0	1998	0	0	0	18-2BR	Reedville
Reedville Apts	21141SW Alexander Aloha, OR 97006 503-356-0318	49 up to 50% Home, CDBG, RD	Farm worker & Family	49	49	0	49	1998	0	0	3	20-2BR 21-3BR 8-4BR	Reedville
Samaritan Court	17952 Samaritan Ct. Aloha, OR 97006 503-245-1798	10 up to 50% AMI, Home, CDBG	SFH	10	0	0	10	1999	1	1	1	10-3BR	Beaver Acres
Sandra Lane	SW Sandra Lane 97006 Aloha 97006 503 391-9111	5 up to 50% AMI, CDBG	Develop Disabled	6		0	5	1993		6		2-2BR 4-3BR	Beaver Acres
Strowbridge II	185 th Aloha 97006	48 up to 50% AMI, Home, WC Loan, CDBG	SFH	12		0	0	/				12-3BR	McKinley
TRI-Haven	18715 SW Blanton Aloha 97006 503-591-0486	15 up to 50%, Home, St. & Co. Mental Health, OHCS, HDG, Credit	CMI	15	15	0	15	1998	0	15	0	15-1BR	Kinnaman
West Park Terrace	17700 SW Shaw Street Aloha 97007 503-794-9004	HUD /8/ 236	Family	31	31	0	0	/	0	0	0	16-1BR 14-2BR 11-3BR	Aloha Park
Willow Creek Commons	3295 SW Doyle 97006 503-648-6646	90 up to 50% AMI, 20 up to 60%, Home, Private Loan	Family	120	120	0	90	1997	0	0	0	24-1BR 60-2BR 30-3BR 6-4BR	Beaver Acres
Willow Springs	503-848-8100	90 up to 50%, up to 60% Section 42	Multi Family	120	120	0	90	1997	0	0	50 Wheel Chair 10-1BR 22-2BR 15-3BR 3-4BR	24-1BR 60-2BR 30-3BR 6-4BR	Beaver Acres
Total for Aloha			X	682	544	86	271	X	1	36	10-OBR 50-1BR 64-2BR 19-3BR 6-4BR	10-0BR 152-1BR 333-2BR 176-3BR 20-4BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Beaverton													
Bayridge Apts	503 629-8355	Tax Credit	Multi Family	246	246	0	0	1990	0	0	8	73-1BR 109-2BR 56-3BR	McKinley
Belleau Wood	503 626-8404	Tax Credit	Multi Family	64	64	0	0	1992	0	0	Wheelchair Access 12-2BR 20-3BR	24-2BR 40-3BR	Chahalem & Aloha Elementary
Brentwood Oaks	503 356-8530	6 up to 50%, 72 up to 60% AMI, PAB, Home	Senior Disabled	78	78	0	6	1998	0	6	39-1BR 39-2BR	39-1BR 39-2Br	Beaver Acres
Cedar Mill Crossing	503 643-5434	243 up to 50%, 365 up to 60%, PAB	Multi Family	608	608	0	243	1995	0	0	0	132-1BR 390-2BR 86-3BR	Cedar Mill & West TV
Crest view Court	503 643-1150	HUD, State Funding	Multi Family	48	48	48	0		0	0	4-2BR Wheelchair	16-1BR 32-2BR	Chahalem
Farmington Meadows	4560 SW 160 th Ave 503-643-1150	69 units up to 60% AMI, PAB	Elderly	69	69	0	0	1999	68	4	4	8-1BR 49-2BR 12-3BR	Aloha Park
Farmington Park	4878-4890 SW 170 th 503-846-4794	6 up to 50% AMI, HUD, OHCS, Comp Grant	Multi Family	6	6	0	6	1997	0	0	2-3BR	6-3BR	Aloha Park
Fircrest Manor	5850 SW Menlo Dr. 503-644-9379	Home Risk Share, Bonds, CDBG, up to 50%, Tax Credit	Family	59	12	0	59	2000	0	0		16-1BR 16-2BR 19-3BR 8-4BR	Fir Grove
First Time Home Buyer		FTHB Loan, 3 up to 50% AMI	SFH	3		0	3	1994	0	0		1-2BR 2-3BR	
Holly Tree Village	503-644-2744	40 up to 50%, 100 up to 80% AMI, PAB, Under HUD \$	Seniors/ Disabled	140	0	98	42	1999	140	0	140-1BR	140-1BR	Chehalem
Quatama Crossing	503 645-8215	501(c)(3) bonds	Multi Family	711	0	0	0	1998	0	0	0	[don't know #'s]	Orenco Elementary
Sir Charles Court	503 690-5466	221(d)(4) MKT (no longer subsidized)	Family	396	0	0	0	1996	0	0	92-2BR 43-3BR	94-1BR 222-2BR 80-3BR	Oak Hills
Spencer House	503 644-4496	236(j)(1) HUD, Home, CDBG, HUD \$8	Family	48	38	38	10	2000	0	0	6-1BR 12-2BR 5-3BR	12-1BR 24-2BR 12-3BR	Chehalem
Total for Beaverton			X	2,476	1169	184	363	X	208	4	179-1BR 159-2BR 70-3BR	530-1BR 906-2BR 313-3BR 8-4BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Cornelius													
Alpine Street		2 up to 80% AMI, Habitat, CDBG, Home	Family	2	0	0	2	2002				1-3BR 1-4BR	Cornelius
Cuenca House		5 up to 50% AMI, home	Disabled	5		0	5	1995					Cornelius
Jose Arciga Apts	N. Fremont ST Cornelius 503-693-2937 [[or 359-4425]	50 up to 50% AMI, Tax Credit, Home, ST. Grant	Farm Workers & Family	50	50	0	50	2002	0	0	5 total across the three Jose Arciga scattered sites. 4-2BR and 1-3BR	19-2BR 24-3BR 5-4BR	Cornelius
Maria Luisa II	503-693-4777??	5 up to 50%, Home	Farm Workers And Family	5		0	5	1994				5-3BR	Cornelius
Total for Cornelius			X	62	50	0	62	X	0	0	5	19-2BR 30-3BR 6-4BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take § 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Durham													
Tualatin View II	503 968-1137	Tax Credit	Family Disabled	210	210	0	0	1994	0	0	24-1BR 48-2BR 24-3BR	66-1BR 92-2BR 52-3BR	Durham Elementary
Total for Durham			X	210	210	0	0	X	0	0	24-1BR 48-2BR 24-3BR	66-1BR 92-2BR 52-3Br	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Forest Grove													
Colonial House	503 357-6116	HUD /8	Family	6	6	?	?	Approx. 1989	0	0	0	6-3BR	Harvey Clarke
Covey Run Townhomes	503 992-0687	40 up to 50% AMI, Home, Tax Credit,	Family	40	30	0	40	2001	0	0	3-3BR	16-3BR 14-4BR	Harvey Clarke
Elm Park I and II	503-359-4532		Farmworkers	62	0	62	0	1984/1989	0	4	4	28-2Br 28-3BR; 6-4BR	Joseph Gale
Forest Manor	503 357-0777	HUD /8/ 236	Elderly	28	25	0	3	1972	28	0	4-1BR 24-2BR	4-1BR 24-2BR	Cornelius Elementary
Forest Villa	503 357-0777	HUD 8	Elderly	84	84	0	0	1980	84	0	84-1BR	84-1BR	Cornelius Elementary
Garden Grove	503 359-4654	OHA /8	Family	48	48				0	2	1-2BR 1-3BR	26-2BR 22-3BR	Fern Hill
Harkson Court	2900 22 nd Ave. 503-357-5861 (or 9622)	2 up to 50%, 18 up to 60% AMI, Home At. Housing Trust	Elderly Disabled	20	20	0	2	1998	20	20	2-1BR 14-2BR 4-3BR	2-1BR 14-2BR 4-3BR	Fern Hill
Jose Arciga Apts	19 th Place and 22 nd Place	50 up to 50% AMI, Home, St, Grant	Farm Workers & Family	50	50	0	50	2002	0	0	5	20-2BR 25-3BR 5-4BR	Fern Hill
Liberty House	503 357-6116	HUD /8	Family	5	5	Don't know	Don't know	Approx. 1989	0	0	0	5-3BR	Fern Hill
Parkside Apts	503 992-0444	10 up to 50%, 14 up to 80% AMI, PAB	Multi Family	24	24	0	10	1999	0	0		6-1BR 12-2BR 6-3BR	Harvey Clarke
The Villager Apt	1921 Fir Rd. 503-992-0444	14 up to 60%, 22 up to 80% AMI, PAB	Multi Family	36	36	0	0	1999				8-1BR 20-2BR 8-3BR	Fern Hill
VanRich Apts	503 846-4776	7 up to 50%, 10 up to 80% AMI, PAB	Multi Family	17	17	0	7	1999			???	4-1BR 12-2BR 1-3Br	Harvey Clarke
Willow Park Apts	503 357-9622	542(b) Tax Credit, PAB	Family	46	0	0	0	1999	0	0	0	1-1BR 45-2BR	Fern Hill
Total for Forest Grove			X	466	345	62	112	X	132	22	90-1BR 39-2BR 8-3BR	109-1BR 201-2BR 121-3BR 25-4BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Takes \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Hillsboro													
Amberwood Apt	503 693-6300	8 up to 50%, 32 up to 60% AMI, Home Bonds, HAWC, Lender Tax Credits,	Multi Family	40	40	0	8	2001	0	0	0	20-2BR 20-3BR	W L Henry
Benjamin's Corner	503 640-6692or [503-246-8249]	Tax Credit	Family	48	0	0	0	1990	0	0	0	48-3BR	Witch hazel
Briarcreek Apts	503 645-8622	216 up to 60% AMI, PAB, Tax Credit	Multi Family	216	216	0	0	1998	0	0	54-1BR 54-2BR	108-1BR 108-2BR	Lennox
City Center Apts	503-224-2554	39 up to 60% 50 up to 50% 2 up to 30%, Tax Credit	Family	91	91	2	50	2005	0	0	0	70-1BR 21-2BR	David Hill
Gateway Commons	503 640-6019	113 up to 60% AMI Home, PAB, Tax Credit	No population restrictions	138	138	0	0	2004	0	0	0, though all ground floor units are adaptable and all units on all floors have 1 wheelchair accessible bathroom	19-1BR 67-2BR 52-3BR	W L Henry
Glennis Park (Duplexes –15 Buildings)	503-244-0876	Tax Credit	Family	30	30	0	12	1998	0	0	Ground units are accessible? so 15?	30-3BR	Patterson
Interim House		5 up to 50% AMI, Home,	CMI	5		0	5	1994					
Lindsey Lane		CDBG	SFH	20 Townhomes									Ladd Acres
Maple Terrace	503 648-7345	HUD /8/ 236	Multi Family	50	50	0	0		0	0	0	12-1BR 38-2BR	W L Henry & David Hill
Maria Luisa I		5 up to 50% AMI, Home	Farm Workers and Family	5		0	5	1994	0	0		5-3BR	
Meacham Meadows	NE 1 st DR & Skylar St., Hill	1 up to 60%, 13 up to 80% AMI, Home, St. Grant, Wash Co. Loan	Family	14		0	0	1998	0	0			Patterson
Montebello	503-693-2937 [or 503-846-9266]Si	48 up to 50% AMI Home, Tax Credit, Private Loan	Farm worker & family	48	48	0	48	1999	0	0	14	24-2BR 19-3BR 4-4BR	Peter Bascow & W L Henry

Open Gate Transitional	503-992-0444	5 up to 50% AMI, CDBG, ESG, Home	CMI	5	5	0	5	1998				5-1BR	
Rolling Green Apt	503-968-3296 [or 503-648-4579]	811 HUD	Disabled	25	0	0	0		0	24	19-1BR 5-2BR	19-1BR 5-2BR	Witch Hazel
Smallwood Apartments	1300 E. Main St. Hillsboro, OR 97123 503-640-5693	202	CMI	18	17	17	0	1989	0	17	1	17-1BR 1-2BR	
Sunset Gardens	951 SE 13 th Ave., 97123	542(b)	Family	107		0	0	1998				101-2BR 3-3BR 3-4BR	
Tarkington Square	357 N First Avenue 503-648-3494 or [503-846-4777]	48 up to 50% AMI, HAWC bonds	Elderly	48	0	0	48	2001	48		3	48-1BR	
The Maples	503 681-9096	202 HUD	Elderly Disabled	30	29	29	0	2001	29	0	7-Studio 22-1BR	7-Studio 22-1BR	David Hill
The Maples II	503 844-8812 [or 503-681-9096]	202 HUD, Home	Elderly Disabled	21	0	21	0	2002	21	0	21-1BR	21-1BR	David Hill
The Willows Apts	503 640-4959 ext. 27	811	CMI	9	8	8	0	1996	0	8	2-1BR	8-1BR 1-2BR	McKinley
Villa Capri	503 533-2277	Tax Credit, Home, CDBG	Family	63	63	5	58	2001	0	0	22-1BR 23-2BR 16-3BR	22-1BR 25-2BR 16-3BR	Orenco
Walnut Triplex		Tax Credit	Family	3					0	0		3-3BR	Peter Boscow
Westmimister Apts Aka Sierra West	503 640-9204	57 up to 50%, Tax Credit, PAB	Family	57	0	0	57	1998	0	0	0	41-2BR 16-3BR	Minter Bridge
Woodland Park	503 693-1416	HUD	Family	111	0	111	0	1980	40	40	3-1BR 5-2BR 2-3BR [14 in total?]	48-1BR 48-2BR 15-3BR	W L Henry
Wyndhaven Apts	503-614-9141	PAB, 278 up to 60%, 118 at MKT	Family	396	396	0	0	2004	0	0			McKinley
Total for Hillsboro			X	1,598	657	176	296	X	138	89	7-Studio 144-1BR 89-2BR 16-3BR 1-4BR	7-Studio 431-1BR 500-2BR 227-3BR 7-4BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Metzger													
Ash Creek	503-245-3631???	HUD /8/ 236	Family	32					0	0			Metzger
Total for Metzger			X	32				X	0	0			X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
North Plains													
Fifth Avenue Plaza	503 647-5335	33 up to 50% AMI, Tax Credit, Private Loans, Home	Elderly Disabled	33	4	0	33	1996	33	0	32-1BR 1-2BR	32-1BR 1-2BR	North Plains
Kent Apts	503-647-1009??? [wrong #]	Tax Credit	Disabled Elderly	33				1997			1-1BR 1-2BR	31-1BR 2-2BR	North Plains
Total for North Plains			X	66	4	0	33	X	33	0	2-Studio 31-1BR 2-2BR	2-Studio 61-1BR 3-2BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Portland													
Bethany Meadows I	503 533-1000 [or 503-224-2554]	208 up to 60% AMI PAB	Family	208	12	0	0	1997	0	0	0	104-1BR 104-2BR	Jacob Webster
Bethany Meadows II	503 533-1000	PAB	Family	132	12	0	0	1998	0	0	0	66-1BR 66-2BR	Jacob Webster
Garden Village Senior Living Center	503-626-7715 [wrong #?]	42 up to 60%, 8 up to 50%PAB, Home	Elderly	50		0	8	2003				14-1BR 36-2BR	
Metzger Park Apts	503 892-2340	32 up to 60% AMI, Home, CDBG, HUD, Private Funds	Family	32	6	0	32	2001	0	0	0	12-1BR 12-2BR 8-3BR	Metzger
West Ridge Apts	503-439-9098	GSL, David Bell, PAB	Family	276	276	0	About 69 or ¼ of all units	2002	0	0	0	138-1BR 138-2BR	West Union
Total for Portland			X	698	306	0	121	X	0	0	0	334-1BR 356-2BR 8-3BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Sherwood													
Carriage Place	503 625-4606 [or 503-274-8400]	Tax Credit	Disabled Elderly	24	24	0	0	1993	0	0	12-1BR	23-1BR 1-2BR	Hopkins Elementary
Sherwood Park	503 625-7883 Call back...	FMHA	Elderly Disabled Handicap (No restrictions)	44	44	44	0	1980	0	0	3-1BR 1-2BR	40-1BR 3-2BR	Hopkins Elementary
Stewart Terrace	503 625-7883	OHA /8	Elderly	24	24	24	0	?	0	0	4-1BR	24-1BR	Hopkins Elementary
Total for Sherwood			X	92	92	68	0	X	0	0	19-1BR 1-2BR	87-1BR 4-2BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take \$ 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Tigard													
Bonita Villa Apts	7520 SW Bonita Rd. (wrong #)	38 up to 60%, 58 up to 80% AMI, PAB	No restrictions	96	96	0	0	2002			1-2BR	12-1BR 72-2BR 12-3BR	Durham
Greenburg Oaks	503 639-6514	50 up to 50%, 34 up to 60% AMI, 542(c) Home, CDBG, Tax Credit, Grant	Family	84	84	0	50	1998	0	0	2-1BR 1-2BR	12-1BR 60-2BR 12-3BR	Charles F Tigard
Hawthorne Villa	503 639-8158	Tax Credit	Multi Family	119	119	0	0	1996	0	0	0	30 Studio 83-1BR 5-2BR	Metzger Elementary
Hill Street Duplex	503-244-5702	Tax credit	Family	4	4	4	0	1996	0	0	0	4-3BR	Templeton
Luke-Dorf		16 up to 50%	Special Needs	16		0	16					SRO Special Needs	
The Colonies	503 639-7408	96 up to 80% AMI, PAB	Multi Family	96	10	0	0	2001	0	0	0	72-2BR	Charles F Tigard
Villa La Paz	503-968-2214 [wrong #?]	Home, Tax Credit	Family	84		0	50	1998	0	0		12-1BR 60-2BR 12-3BR	
Village at Washington Square	503-968-2724	22 up to 50% 4 up to 30%, Home, CDBG, Risk Sharing Bonds, Tax Credit	Family	26	26	4	22	2002	0	0	0	9-1BR 6-2BR 8-3BR 6-4BR	Metzger
Woodspring Apts	503 639-7409 [or 503-797-6542]	Tax Credit	Senior	172	8	0	0	1991	0	0	28	172-2BR	Durham
Total for Tigard			X	697	347	8	138	X	0	0	2-1BR 2-2BR [28 other]	30-Studio 128-1BR 447-2BR 48-3BR 6-4BR	X

Property Name	Property Address	Source of Funding	Occupancy Eligibility	Total units in the Property	Take § 8	Units at 30% AMI	Units at 50% AMI	Placed in Service	Total Units Designated for the Elderly	Total Units Designated for people with Disabilities	**Total Units with Accessible features	Bedroom Sizes Available at this Property	Elementary School
Tualatin													
Terrace View Call back tomorrow afternoon	6685 NE Sager 503-692-0290 [or 503-224-2554]	40 up to 60%, 60 up to 80% AMI PAB	Family	100	5	0	0	1997	0	0	0	29-1BR 38-2BR 33-3BR	Bridgeport Elementary
Tualatin Meadows	18755 SW 90 th Ave. 503-885-9828	240 up to 60% AMI PAB	Family	240	240	0	0	2000	0	0	0	120-1BR 120-2BR	Tualatin Elementary
Wood Ridge Apts		Tax Credit	Family	264		0	3	2001	0	0		105-1BR 105-2BR 54-3BR	Tualatin Elementary
Total for Tualatin			X	604	245	0	3	X	0	0		254-1BR 263-2BR 87-3BR	X

Washington County Statistics

Total Housing Units	Total Units that take §8	# Affordable at 30% AMI	# Affordable at 50% AMI [exclusive of 30%]	Units Designated for the Elderly	Units Designated for the Disabled	Units That Have Accessible Features
7,683	3,969 [51.65% of total #]	584 [7.6%]	1,399 [18.3%]	512 [6.7%]	151 [2%]	1,139 [15%]

STATISTICAL BREAKDOWN BY ELEMENTARY SCHOOLS

ALOHA/BEAVERTON

	Aloha Park- 66% poverty	Beaver Acres—60% poverty	Kinnaman— 56% poverty	Reedville—48% poverty
Total Units	257	412	27	67
Section 8	237 [92.2% of total]	396 [96.1%]	15 [55.6%]	67 [100%]
30% MFI	78 [30.4%]	0 [0%]	0 [0%]	0 [0%]
50% MFI	6 [2.3%]	207 [50.2%]	15 [55.6%]	49 [73.1%]
Elderly	68 [26.5%]	1 [0.24%]	0 [0%]	0 [0%]
Disabled	18 [7%]	13 [3.15%]	0 [0%]	0 [0%]

ALOHA/BEAVERTON/HILLSBORO

McKinley Elementary School—45% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
754	665 [88.2%]	16 [2.1%]	5 [0.66%]	0 [0%]	8 [1.1%]

BEAVERTON

	Chehalem— 46% poverty	Cedar Mills— 25% poverty	Fir Grove— 40% poverty	Oak Hills— 13% poverty	West TV— 25% poverty
Total Units	268	304	59	396	304
Section 8	128 [47%]	304 [100%]	12 [20%]	0 [0%]	304 [100%]
30% MFI	184 [69%]	0 [0%]	0 [0%]	0 [0%]	0 [0%]
50% MFI	52 [19%]	122 [40.1%]	59 [100%]	0 [0%]	121 [39.8%]
Elderly	140 [52%]	0 [0%]	0 [0%]	0 [0%]	0 [0%]
Disabled	0 [0%]	0 [0%]	0 [0%]	0 [0%]	0 [0%]

BEAVERTON/HILLSBORO

Orenco Elementary School—11% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
774	63 [8.1%]	5 [0.6%]	58 [7.5%]	0 [0%]	0 [0%]

CORNELIUS/FOREST GROVE

Cornelius Elementary School—75% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
174	159 [91.4%]	0 [0%]	65 [37.4%]	112 [64.4%]	0 [0%]

FOREST GROVE

	Fern Hill	Harvey Clark— 34% poverty	Joseph Gale—71% poverty
Total Units	205	87	62
Section 8	159 [78%]	77 [88.5%]	0 [0%]
30% MFI	0 [0%]	0 [0%]	62 [100%]
50% MFI	52 [25.4%]	57 [65.5%]	0 [0%]
Elderly	20 [9.8%]	0 [0%]	0 [0%]
Disabled	22 [10.7%]	0 [0%]	4 [6.5%]

HILLSBORO

	Lennox— 20% poverty	David Hill— 83% poverty	Ladd Acres— 22% poverty	Minter Bridge—53% poverty
Total Units	216	167	20	57
Section 8	216 [100% of total]	145 [86.8%]	0 [0%]	0 [0%]
30% MFI	0 [0%]	52 [31.3%]	0 [0%]	0 [0%]
50% MFI	0 [0%]	50 [30%]	0 [0%]	57 [100%]
Elderly	0 [0%]	50 [30%]	0 [0%]	0 [0%]
Disabled	0 [0%]	0 [0%]	0 [0%]	0 [0%]
	Patterson— 28% poverty	Peter Boscow—71% poverty	Witch Hazel— 54% poverty	WL Henry-- 74% poverty
Total Units	44	27	73	338
Section 8	30 [69%]	24 [89%]	0 [0%]	227 [67%]
30% MFI	0 [0%]	0 [0%]	0 [0%]	111 [33%]
50% MFI	12 [27%]	24 [89%]	0 [0%]	32 [9.5%]
Elderly	0 [0%]	0 [0%]	0 [0%]	40 [12%]
Disabled	15 [34%]	0 [0%]	24 [32.9%]	40 [12%]

METZGER/PORTLAND/TIGARD

Metzger Elementary—53% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
209	151 [72.2%]	4 [1.9%]	54 [25.8%]	0 [0%]	0 [0%]

NORTH PLAINS

North Plains Elementary School—38% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
66	4 [6.1%]	0 [0%]	33 [50%]	33 [50%]	0 [0%]

PORTLAND

Jacob Webster Elementary

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
340	24 [7.06%]	0 [0%]	0 [0%]	0 [0%]	0 [0%]

West Union Elementary—14% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
276	276 [100%]	0 [0%]	~69 [25%]	0 [0%]	0 [0%]

SHERWOOD

Hopkins Elementary School—18% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
92	92 [100%]	68 [74%]	0 [0%]	0 [0%]	0 [0%]

TIGARD

C.F. Tigard—38% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
180	94 [52.2%]	0 [0%]	50 [27.8%]	0 [0%]	0 [0%]

Templeton—33% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
4	4 [100%]	4 [100%]	0 [0%]	0 [0%]	0 [0%]

TIGARD/DURHAM

Durham Elementary School—30% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
478	314 [65.7%]	0 [0%]	0 [0%]	0 [0%]	0 [0%]

TUALATIN

Bridgeport Elementary School—41% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
100	5 [5%]	0 [0%]	0 [0%]	0 [0%]	0 [0%]

Tualatin Elementary School—50% poverty

Total Units	Section 8	30% AMI	50% AMI	Elderly	Disabled
504	240 [48%]	0 [0%]	3 [0.6%]	0 [0%]	0 [0%]

APPENDIX VI

Citizen Participation

Notice of the availability of a draft Fair Housing Plan for 30-day public review and comment (June 15th – July 15th) was published in *The Oregonian*, the *Hillsboro Argus*, the *Asian Reporter*, and the *El Hispanic News* on June 10, 2004. In addition, over 300 notices were distributed by mail (copy attached). The draft document was posted on the County's website (copy of site attached).

The County's Policy Advisory Board held the public hearing on July 15, 2004. Participants provided testimony. Dr. Sheehan, the author of the document, was present to answer questions and provide feedback and background on the recommendations. A copy of the hearing minutes and the written testimony as provided by interested parties are attached.

Based on testimony provided, the plan was updated and revised where appropriate. The following documents are provided as a record of citizen participation:

- Public Notice
- Office of Community Development web page
- Hearing Minutes
- Citizen testimony

